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**1993**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

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## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) HEADING OF THE PART: Illinois List of Endangered and Threatened Fauna
- 2) CODE CITATION: 17 Ill. Adm. Code 1010
- 3) SECTION NUMBERS:
- |         |                         |
|---------|-------------------------|
| 1010.25 | <u>PROPOSED ACTION:</u> |
| 1010.30 | Amendments              |
|         | Amendments              |
- 4) STATUTORY AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 337) [520 ILCS 10/7].

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
The Illinois Endangered Species Protection Act requires that the Illinois Endangered Species Protection Board review and revise the Illinois List of Endangered and Threatened Fauna as warranted, but in no case less frequently than every 5 years [520 ILCS 10/6]. The Board recently conducted a thorough review of the list. As required by law [520 ILCS 10/7], the Board conducted a public hearing on July 21, 1993, regarding changes it proposed to make to the Illinois List. Subsequently, at the 82nd meeting of the Illinois Endangered Species Protection Board on August 20, 1993, the Board adopted such changes to the Illinois List as were supported by scientific evidence.

- 6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No
- 7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No
- 9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART?  
No
- 10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- 11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:
- Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787
- 12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule does not affect small businesses

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF CONSERVATION  
SUBCHAPTER C: ENDANGERED SPECIES

## PART 1010

## ILLINOIS LIST OF ENDANGERED AND THREATENED FAUNA

## Section

1010.10 Official List

1010.20 Definitions

1010.25 Criteria Used For Listing

1010.30 List

**AUTHORITY:** Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. ~~1999~~1991, ch. 8, par. 337) [520 ILCS 10/71].

**SOURCE:** Filed December 21, 1977; effective December 31, 1977; codified at 5 Ill. Reg. 10653, amended at 8 Ill. Reg. 13705, effective July 25, 1984; amended at 13 Ill. Reg. 4179, effective March 17, 1989; amended at 16 Ill. Reg. 103, effective December 20, 1991; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 1010.25

## Criteria Used For Listing

- a) A species shall be included on the Official List when one or more of the following criteria exists:
- 1) Species included in the Federal list of Endangered or Threatened species.
  - 2) Species proposed for Federal Endangered or Threatened status which occur in Illinois.
  - 3) Species which formerly were widespread in Illinois but have been nearly extirpated from the State due to habitat destruction, collecting, or other pressures resulting from the development of Illinois.
  - 4) Species which exhibit very restricted geographic ranges of which Illinois is a part.
  - 5) Species which exhibit restricted habitats or low populations in Illinois.
  - 6) Species which are significant disjuncts in

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Illinois, i.e., the Illinois population is far removed from the rest of the species' range.

- b) A species will be removed from the Official List if it no longer fulfills one or more of the criteria in subsection (a), except for a species that no longer fulfills the criteria because it no longer inhabits Illinois. The determination will be made pursuant to Section 7 of the Endangered Species Protection Act (Ill. Rev. Stat. ~~1999~~1991, ch. 8, par. 337) [520 ILCS 10/71].

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1010.30 List

## a) ENDANGERED FISHES OF ILLINOIS

Northern Brook Lamprey	Ichthyomyzon fossor
Lake Sturgeon	Acipenser fulvescens
Pallid Sturgeon **	Scaphirhynchus albus**
River Chub	Nocomis micropogon
Sturgeon Chub	Macrhybopsis gelida
Bigeye Chub	Notropis amblops
Pallid Shiner	Notropis amnis
Pugnose Shiner	Notropis anogenus
Bigeye Shiner	Notropis boops
Blacknose Shiner	Notropis heterolepis
Bluehead Shiner	Notropis hubbsi
Taillight shiner	Notropis maculatus
Weed Shiner	Notropis texanus
Cypress Minnow	Hybognathus hayi
Greater Redhorse	Moxostoma valenciennesi



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Northern Madtom	Noturus stigmosus
<del>Western Sand Darter</del>	<del>Ammeerypta elara</del>
<del>Eastern Sand Darter</del>	<del>Ammeerypta pellucida</del>
Bluebreast Darter	Etheostoma camurum
<u>Western Sand Darter</u>	<u>Etheostoma clarum</u>
<u>Iowa Darter</u>	<u>Etheostoma exile</u>
Harlequin Darter	Etheostoma histrio
<u>Eastern Sand Darter</u>	<u>Etheostoma pellucidum</u>
b) THREATENED FISHES OF ILLINOIS	
Least Brook Lamprey	Lampetra aepyptera
Lake Sturgeon	Acipenser fulvescens
Alligator Gar	Lepisosteus spatula
Cisco	Coregonus artedii
Lake Whitefish	<del>Coregonus clupeaformis</del>
<del>Bigeye Shiner</del>	<del>Notropis boops</del>
Ironcolor Shiner	Notropis chalybaeus
Blackchin Shiner	Notropis heterodon
<del>Blacknose Shiner</del>	<del>Notropis heterolepis</del>
River Redhorse	Moxostoma carinatum
Longnose Sucker	Catostomus catostomus
Banded Killifish	Fundulus diaphanus
Spotted Sunfish	Lepomis punctatus
Bantam Sunfish	Lepomis symmetricus
<del>Iowa Darter</del>	<del>Etheostoma exile</del>

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

c) ENDANGERED AMPHIBIANS AND REPTILES OF ILLINOIS	<u>Hellbender</u>	<u>Cryptobranchus alleganiensis</u>
	Silvery Salamander	Ambystoma platineum
	Dusky Salamander	Desmognathus fuscus
	Illinois Mud Turtle	Kinosternon flavescens
	Spotted Turtle	Clemmys guttata
	River Cooter	Pseudemys concinna
	Broad-banded Watersnake	Nerodia fasciata
	Eastern Ribbon Snake	Thamnophis sauritus
	<u>Eastern Massasauga</u>	<u>Sistrurus catenatus</u>
d) THREATENED AMPHIBIANS AND REPTILES OF ILLINOIS	<u>Four-toed Salamander</u>	<u>Hemidactylium scutatum</u>
	Illinois Chorus Frog	Pseudacris streckeri
	<u>Alligator Snapping Turtle</u>	<u>Macrolemys temmincki</u>
	Western Hognose Snake	Heterodon nasicus
	Coachwhip Snake	Masticophis flagellum
	Great Plains Rat Snake	Elaphe guttata emoryi
	Green Watersnake	Nerodia cyclopion
	<u>Kirtland's Snake</u>	<u>Clonophis kirtlandi</u>
	<u>Timber Rattlesnake</u>	<u>Crotalus horridus</u>
e) ENDANGERED BIRDS OF ILLINOIS		
	Pied-billed Grebe	<del>Pedilymbus podiceps</del>
	<del>Double-crested Cormorant</del>	<del>Phalacrocorax auritus</del>

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

American Bittern	Botaurus lentiginosus
Least Bittern	Ixobrychus exilis
<del>Great Egret</del>	<del>Casmerodius albus</del>
Snowy Egret	Egretta thula
Little Blue Heron	Egretta caerulea
Black-crowned Night Heron	Nycticorax nycticorax
Osprey	Pandion haliaetus
Mississippi Kite	Ictinia mississippiensis
Bald Eagle**	Haliaeetus leucocephalus
Northern Harrier ( <del>Hareh-Hawk</del> )	Circus cyaneus
Sharp-shinned Hawk	Accipiter striatus
Cooper's Hawk	Accipiter cooperii
Red-shouldered Hawk	Buteo lineatus
Swainson's Hawk	Buteo swainsoni
Peregrine Falcon**	Falco peregrinus
Greater Prairie Chicken	Tympanuchus cupido
Yellow Rail	Coturnicops noveboracensis
Black Rail	Laterallus jamaicensis
<del>Purple Gallinule</del>	<del>Porphyrio martinica</del>
Sandhill Crane	Grus canadensis
Piping Plover**	Charadrius melodus
Upland Sandpiper	Bartramia longicauda

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Wilson's Phalarope	Phalaropus tricolor
Common Tern	Sterna hirundo
Forster's Tern	Sterna forsteri
Least Tern**	Sterna antillarum
Black Tern	Chlidonias niger
Barn Owl	Tyto alba
Long-eared Owl	Asio otus
Short-eared Owl	Asio flammeus
Bewick's Wren	Thryomanes bewickii
Swainson's Warbler	Limnothlypis swainsonii
Bachman's Sparrow	Aimophila aestivalis
<u>Henslow's Sparrow</u>	<u>Ammodramus henslowii</u>
<del>Clay-colored Sparrow</del>	<del>Spizella pallida</del>
Yellow-headed Blackbird	Xanthocephalus xanthocephalus

f) THREATENED BIRDS OF ILLINOIS

<u>pied-billed Grebe</u>	<u>Podilymbus podiceps</u>
<u>Double-crested Cormorant</u>	<u>Phalacrocorax auritus</u>
<u>Great Egret</u>	<u>Casmerodius albus</u>
<u>Yellow-crowned Night Heron</u>	<u>Nyctanassa violacea</u>
Common Moorhen	Gallinula chloropus
<u>King Rail</u>	<u>Rallus elegans</u>
Brown Creeper	Certhia americana
Veery	Catharus fuscescens



## DEPARTMENT OF CONSERVATION

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## NOTICE OF PROPOSED AMENDMENTS

Loggerhead Shrike  
~~Henslow's Sparrow~~  
~~Brewer's Blackbird~~  
 Lanius ludovicianus  
~~Ammodramus henslowii~~  
~~Euphagus cyanocephalus~~

Orange-footed  
 Pearly Mussel\*\*  
Sheepnose  
~~Clubshell\*\*~~  
Ohio Pigtoe  
~~Rough Pigtoe\*\*~~  
Pyramid Pigtoe  
 Kidneyshell  
 Fanshell\*\*  
~~Ring Pink\*\*~~  
 Round Hickorynut  
 Sealeshell  
 Fat Pocketbook\*\*  
 Purple Lilliput  
 Rayed Bean  
 Rainbow  
 Little Spectaclecase  
 Wavy-rayed Lampmussel  
 Higgins' Eye Pearly Mussel\*\*  
 Pink Mucket Pearly Mussel\*\*  
 Leafshell  
 Round Combshell  
 Tennessee Riffleshell  
 White Cat's Paw  
 Pearly Mussel\*\*

## g) ENDANGERED MAMMALS OF ILLINOIS

Southeastern Myotis  
 Gray Bat\*\*  
 Indiana Bat\*\*  
 Rafinesque's Big-eared Bat  
 River Otter  
 Eastern Wood Rat  
 White-tailed Jackrabbit  
 Myotis austroriparius  
 Myotis grisescens  
 Myotis sodalis  
 Plecotus rafinesquii  
 Lutra canadensis  
 Neotoma floridana  
 Lepus townsendii

Plethobasus cyphus  
Pleurobema clava  
Pleurobema cordatum  
~~Pleurobema plenum~~  
Pleurobema rubrum  
 Ptychobranchus fasciolaris  
 Cyprogenia stegaria  
 Obovaria retusa  
 Obovaria subrotunda  
 Leptodea leptodea  
 Potamilus capax  
 Toxolasma lividus  
 Villosa fabalis  
 Villosa iris  
 Villosa lienosa  
 Lampsilis fasciola  
 Lampsilis higginsii  
 Lampsilis exbieulata  
 Epioblasma flexuosa  
 Epioblasma personata  
 Epioblasma propinqua  
 Epioblasma obliquata  
 Perobliqua

## h) THREATENED MAMMALS OF ILLINOIS

Bobcat  
 Golden Mouse  
 Rice Rat  
 Lynx rufus  
 Ochrotomys nuttalli  
 Oryzomys palustris

## i) ENDANGERED INVERTEBRATE ANIMALS OF ILLINOIS

Snails  
 Iowa Pleistocene Snail\*\*  
 Mussels  
 Spectaclecase Case  
 Slippershell  
 Salamander Mussel  
 Rabbitsfoot  
 White Wartyback  
 Pearly Mussel\*\*  
 Discus macclintocki  
 Cumberlandia monodonta  
 Alasmidonta viridis  
 Simpsonaias ambigua  
 Quadrula cylindrica  
 Plethobasus-eicatricosus

NOTICE OF PROPOSED AMENDMENTS

Sampson's Pearly Mussel Epioblasma sampsoni  
Tube-reuled-blossom Epioblasma torulosa  
Pearly Mussel\*\* torulosa  
Snuffbox Epioblasma triquetra  
Cracking Pearly Mussel\*\* Hemistena lata

Crustaceans

Anomalous Spring Amphipod Crangonyx anomalus  
Appalachian Valley Cave Amphipod Crangonyx antennatus  
Packard's Cave Amphipod Crangonyx packardii  
Illinois Cave Amphipod Gammarus acherondytes  
Iowa Amphipod Stygobromus iowae  
Indiana Crayfish Orconectes indianensis  
Kentucky Crayfish Orconectes kentuckiensis

Oxbow Crayfish

Crayfish Orconectes lancifer  
Isopod Orconectes placidus  
Isopod Caecidotea lesliei  
Isopod Caecidotea spatulata

Dragonflies

Hine's Emerald Dragonfly Somatochlora hineana  
Beg-Skimmer

Leafhoppers

Leafhopper Paraphlepsius lupulus  
Butterflies and Moths Papaipema eryngii

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

Arogos Skipper Atrytone arogos  
Hoary Elfin Incisalia polios  
Karner Blue Butterfly\*\* Lycaeides melissa samuelis  
Swamp Metalmark Calephelis muticum

j) THREATENED INVERTEBRATE ANIMALS OF ILLINOIS

Mussels  
EbonysHELL Fusconaia ebena  
Creek-Heeleplitter Lasmigona eompresca  
Sheepnose Plethobasus ephyus  
Elephant-ear Elliptio crassidens  
Spike Elliptio dilatata  
Pendern Unioemerus tetralasmus  
Butterfly mussel Ellipsaria lineolata

Crustaceans

Bousfield's Amphipod Gammarus bousfieldi  
Dragonflies Nannothemis bella

Leafhoppers

Redveined Prairie Leafhopper Aflexia rubranura

Butterflies

Cobweb Skipper Hesperia metea  
Ottoe Skipper Hesperia ottoe

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Illinois List of Endangered and Threatened Flora

2) CODE CITATION: 17 Ill. Adm. Code 1050

3) SECTION NUMBERS:

1050.25  
1050.30  
1050.40

PROPOSED ACTION:

Amendments  
Amendments  
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 337) [520 ILCS 10/7].

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
The Illinois Endangered Species Protection Act requires that the Illinois Endangered Species Protection Board review and revise the Illinois List of Endangered and Threatened Flora as warranted, but in no case less frequently than every 5 years [520 ILCS 10/6]. The Board recently conducted a thorough review of the list. As required by law [520 ILCS 10/7], the Board conducted a public hearing on July 21, 1993, regarding changes it proposed to make to the Illinois List. Subsequently, at the 82nd meeting of the Illinois Endangered Species Protection Board on August 20, 1993, the Board adopted such changes to the Illinois List as were supported by scientific evidence.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule does not affect small businesses

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF CONSERVATION  
SUBCHAPTER c: ENDANGERED SPECIES

## PART 1050

## ILLINOIS LIST OF ENDANGERED AND THREATENED FLORA

## Section

1050.10 Official List

1050.20 Definitions

1050.25 Criteria Used For Listing

1050.30 Endangered Flora of Illinois

1050.40 Threatened Flora of Illinois

**AUTHORITY:** Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 337) [520 ILCS 10/71].

**SOURCE:** Adopted at 4 Ill. Reg. 22, p. 209; effective May 20, 1980 unless otherwise noted; amended at 5 Ill. Reg. 10293, effective September 30, 1981; codified at 6 Ill. Reg. 2593; amended at 8 Ill. Reg. 13713, effective July 25, 1984; amended at 13 Ill. Reg. 3755, effective March 13, 1989; amended at 14 Ill. Reg. 6123, effective April 17, 1990; amended at 17 Ill. Reg. 10781, effective July 1, 1993; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 1050.25 Criteria Used For Listing

- a) A species shall be included on the Official List when one or more of the following criteria exists:

- 1) Species included in the Federal list of Endangered or Threatened species.
- 2) Species proposed for Federal Endangered or Threatened status which occur in Illinois.
- 3) Species which formerly were widespread in Illinois but have been nearly extirpated from the State due to habitat destruction, collecting, or other pressures resulting from the development of Illinois.
- 4) Species which exhibit very restricted geographic ranges of which Illinois is a part.
- 5) Species which exhibit restricted habitats or low

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## populations in Illinois.

- 6) Species which are significant disjuncts in Illinois, i.e., the Illinois population is far removed from the rest of the species' range.

- b) A species will be removed from the Official List if it no longer fulfills one or more of the criteria in subsection (a), except for a species that no longer fulfills the criteria because it no longer grows in Illinois. The determination will be made pursuant to Section 7 of the Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 337) [520 ILCS 10/71].

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1050.30 Endangered Flora of Illinois

## SCIENTIFIC NAME

## COMMON NAME

## PHYSCIACEAE

Phaeophyscia leanaLea's Bog Lichen

## EQUISETACEAE

Equisetum pratense

Meadow Horsetail

Equisetum scirpoides

Dwarf Scouring Rush

Equisetum sylvaticum

Horsetail

## LYCOPODIACEAE

Lycopodium clavatum

Running Pine

Lycopodium dendroideum

Ground Pine

Lycopodium inundatum

Bog Clubmoss

## ISOETACEAE

Isoetes butleriQuillwort

## OPHIOGLOSSACEAE



## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Botrychium biternatum Southern Grape Fern

Botrychium matricariaefolium Daisyleaf Grape Fern

Botrychium multifidum Northern Grape Fern

Botrychium simplex Dwarf Grape Fern

POLYPODIACEAE

Asplenium bradleyi Bradley's Spleenwort

Asplenium resiliens Black Spleenwort

Cystopteris laurentiana Fragile Fern

Dryopteris celsa Log Fern

Gymnocarpium dryopteris Oak Fern

Gymnocarpium robertianum Scented Oak Fern

Thelypteris noveboracensis New York Fern

Thelypteris phegopteris Long Beech Fern

Woodsia ilvensis Rusty Woodsia

CUPRESSACEAE

Juniperus horizontalis Trailing Juniper

PINACEAE

Pinus banksiana Jack Pine

Pinus echinata Shortleaf Pine

Pinus resinosa Red Pine

ALISMATACEAE

Echinodorus tenellus Small Burhead

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Sagittaria longirostris Arrowhead

ARACEAE

Calla palustris Water Arum

BURMANNIACEAE

Thismia americana Thismia

COMMELINACEAE

Tradescantia bracteata Prairie Spiderwort

CYPERACEAE

Carex alata Winged Sedge

Carex arkansana Sedge

Carex aurea Golden Sedge

~~Carex austriaca~~ Sedge

Carex baileyi Sedge

Carex brunnescens Brownish Sedge

Carex canescens var. disjuncta Sedge

Carex chordorrhiza Cordroot Sedge

Carex communis Fibrous-rooted Sedge

Carex crawfordii Sedge

Carex cryptolepis Sedge

Carex decomposita Cypress-knee Sedge

Carex disperma Shortleaf Sedge

Carex echinata Sedge

Carex garberi Sedge





## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Sisyrinchium atlanticum

Sisyrinchium montanum

## JUNCACEAE

Juncus alpinus

Juncus vaseyi

Luzula acuminata

## JUNCAGINACEAE

Scheuchzeria palustris

Triglochin maritima

Triglochin palustris

## LILIACEAE

Camassia angusta

Erythronium mesochoreum

Lilium superbum

Medeola virginiana

Stenanthium gramineum

Trillium cernuum

~~Trillium cuneatum~~

Trillium erectum

Eastern  
Blue-eyed GrassMountain  
Blue-eyed GrassRichardson's  
Rush

Vasey's Rush

Hairy Woodrush

Arrow Grass

Common Bog Arrow  
GrassSlender Bog  
Arrow Grass

Wild Hyacinth

~~White Dog-teeth  
Violet~~ Prairie  
Trout-Lily

Turk's Cap Lily

Indian Cucumber  
RootGrass-leaved  
Lily

Nodding Trillium

~~Trillium~~Ill-scented  
Trillium

## ILLINOIS REGISTER

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Zigadenus glaucus

## MARANTACEAE

Thalia dealbata

## ORCHIDACEAE

Calopogon tuberosus

Cypripedium acaule

Cypripedium calceolus  
var. parviflorum

Cypripedium candidum

Cypripedium reginae

Habenaria ciliarisHabenaria clavellataHabenaria flava var. flavaHabenaria leucophaeaHabenaria psycodes

Hexalectris spicata

Isotria medeoloides\*\*

Isotria verticillata

Platanthera ciliarisPlatanthera clavellata

White Camass

Powdery Thalia

Grass Pink  
Orchid

Moccasin Flower

Small Yellow  
Lady's SlipperWhite Lady's  
SlipperShowy Lady's  
SlipperOrange-Fringed  
Orchid

Wood Orchid

Tubercled Orchid

Prairie White  
Fringed OrchidPurple-Fringed  
OrchidCrested  
Coralroot OrchidSmall Whorled  
Pogonia

Whorled Pogonia

Orange-Fringed  
Orchid

Wood Orchid

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Platanthera flava var. flavaPlatanthera flava var. herbiolaPlatanthera leucophaea \*Platanthera psycodesPogonia ophioglossoidesSpiranthes lucidaSpiranthes romanzoffianaSpiranthes vernalis

## POACEAE

Agropyron subsecundumAmmophila breviligulataAndropogon ternariusBeckmannia syzigachneGlyceria arkansanaGlyceria borealisGymnopogon ambiguusLeptochloa panicoidesMelica muticaMilium effusumTuberclad OrchidTuberclad OrchidPrairie White  
Fringed OrchidPurple Fringed  
OrchidSnake-mouthYellow-lipped  
Ladies' TressesHooded Ladies'  
TressesSpring Ladies'  
TressesBearded Wheat  
GrassMarram GrassSilver Broom  
SedgeAmerican Slough  
GrassManna GrassNorthern Manna  
GrassBeard GrassSalt Meadow  
GrassTwo-Flowered  
Melic GrassMillet Grass

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Panicum borealeNorthern Grass  
PanicPanicum columbianumHemlock Grass  
PanicPanicum joori

Panic Grass

Panicum longifoliumLong-leaved  
Panic GrassPanicum ravenelii

Panic Grass

Panicum stipitatum

Panic Grass

Panicum yadkinense

Panic Grass

Paspalum bushii~~Hairy-Bead Grass~~Paspalum dissectum

Bead Grass

Poa alsodes

Grove Bluegrass

Poa autumnalis

Bluegrass

Poa languida

Weak Bluegrass

Poa wolfii

Wolf's Bluegrass

Puccinellia pallida

Grass

Schizachne purpurascensFalse Melic  
Grass

## PONTEDERIACEAE

Heteranthera reniformis

Mud Plantain

## POTAMOGETONACEAE

Potamogeton gramineusGrass-leaved  
PondweedPotamogeton praelongusWhite-stemmed  
PondweedPotamogeton pulcher

Spotted pondweed



## DEPARTMENT OF CONSERVATION

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## NOTICE OF PROPOSED AMENDMENTS

Potamogeton robbinsii  
 Potamogeton strictifolius  
 Potamogeton vaseyi

Fern Pondweed  
 Stiff Pondweed  
 Vasey's Pondweed

## SPARGANIACEAE

Sparganium americanum  
 Sparganium chlorocarpum

American Burreed  
 Green-fruited  
 Burreed

## ACANTHACEAE

Justicia ovata

Water Willow

## ADOXACEAE

Adoxa moschatellina

Moschatel

## AMARANTHACEAE

Iresine rhizomatosa

Bloodleaf

## APIACEAE

Conioselinum chinense

Hemlock Parsley

Cynosciadium digitatum

Cynosciadium

Eryngium prostratum

Eryngo

Hydrocotyle ranunculoides

Water-pennywort

~~Ptilimnium~~-eostatum

~~Mock~~ ~~Weed~~ ~~Bishop's~~

Ptilimnium nuttallii

Mock Weed Bishop's Weed

## ASCLEPIADACEAE

Asclepias lanuginosa

Woolly Milkweed

Asclepias meadii\*

Mead's Milkweed

Asclepias ovalifolia

Oval Milkweed

Matelea decipiens  
 C l i m b i n g  
 Milkweed

## ASTERACEAE

Artemisia dracunculoides

Dragon Wormwood

Bidens beckii

Water Marigold

Eupatorium incarnatum

Thoroughwort

Helianthus giganteus

Tall Sunflower

Hymenoxys acaulis var. glabra\*

Lakeside Daisy

Lactuca hirsuta

Wild Lettuce

Lactuca ludoviciana

Western Wild Lettuce

Melanchthera nivea

White Melanthera

Microseris cuspidata

Prairie Dandelion

Rudbeckia missouriensis

Missouri Orange Coneflower

Silphium pinnatifidum

Rosinweed

Silphium trifoliatum

Rosinweed

Solidago arguta (sensu lato:  
 incl. S. strigosa & S. bootii)

Goldenrod

## BERBERIDACEAE

Berberis canadensis

Allegheny Barberry

## BETULACEAE

Alnus rugosa

Speckled Alder

Betula alleghaniensis

Yellow Birch

Betula populifolia

Gray Birch

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## BORAGINACEAE

*Hackelia americana**Heliotropium tenellum*

## BRASSICACEAE

*Cardamine pratensis* var. *palustris**Draba cuneifolia**Lesquerella ludoviciana**Rorippa islandica* subsp. *hispida*

## CACTACEAE

*Opuntia fragilis*

## CAPPARIDACEAE

*Polanisia jamesii*

## CAPRIFOLIACEAE

*Lonicera dioica* var. *glaucescens**Lonicera flava**Symphoricarpos albus* var. *albus**Viburnum molle*

## CARYOPHYLLACEAE

*Arenaria patula**Silene regia**Stellaria pubera*

Stickseed

Slender

Heliotrope

Cuckoo Flower

Whitlow Grass

Silvery

Bladderpod

Hairy Marsh  
Yellow Cress*Fragile* Prickly  
PearJames'  
Clammyweed

Red Honeysuckle

Yellow  
Honeysuckle

Snowberry

Arrowwood

*Slender* Sandwort

Royal Catchfly

Great Chickweed

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## CELASTRACEAE

*Euonymus americanus*

## CISTACEAE

*Hudsonia tomentosa**Lechea intermedia*

## CLUSIACEAE

*Hypericum adpressum**Hypericum densiflorum**Hypericum kalmianum**Triadenum virginicum*

## CONVOLVULACEAE

*Stylisma pickeringii*

## CORNACEAE

*Cornus canadensis*

## CORYLACEAE

*Corylus cornuta*

## CUCURBITACEAE

*Melothria pendula*

## DROSERACEAE

*Drosera rotundifolia*

## ELAEAGNACEAE

*Shepherdia canadensis**American  
Strawberry Bush*

False Heather

Pinweed

Shore St. John's  
Wort*St. John's Wort**Kalm's St.  
John's Wort**Marsh St. John's  
Wort**Patterson  
Bindweed*

Bunchberry

Beaked Hazelnut

Squirting  
CucumberRound-leaved  
Sundew

Buffaloberry



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## ERICACEAE

Arctostaphylos uva-ursi Bearberry  
 Gaultheria procumbens Wintergreen  
 Vaccinium corymbosum Highbush Blueberry  
 Vaccinium macrocarpon Large Cranberry  
 Vaccinium oxycoccos Small Cranberry  
~~Vaccinium-stamineum~~ ~~Deerberry~~

## EUPHORBIACEAE

Chamaesyce polygonifolia Seaside Spurge  
 Euphorbia spathulata Spurge

## FABACEAE

Amorpha nitens Smooth False Indigo  
 Apios priceana \* Price's Groundnut  
 Astragalus crassicaarpus var. trichocalyx Large Ground Plum  
 Astragalus tennesseensis Tennessee Milk Vetch  
 Cladrastis lutea Yellowwood  
~~Dalea foliosa \*\*~~ Leafy Prairie Clover  
 Dioclea multiflora Boykin's Dioclea  
 Lathyrus maritimus Beach Pea  
 Lespedeza leptostachya\* Prairie Bush Clover  
 Petalostemum foliosum Leafy Prairie

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

~~Cloves~~

Trifolium reflexum Buffalo Clover  
 FAGACEAE  
~~Castanea-dentata~~ ~~American-Chestnut~~  
 Quercus nuttallii Nuttall's Oak  
 GENTIANACEAE  
 Bartonia paniculata Screwstem  
 Sabatia campestris Prairie Rose  
 Gentian Gentian

## GERANIACEAE

Geranium bicknellii Northern Cranesbill

## HYDROPHYLLACEAE

Hydrolea uniflora One-flowered Hydrolea  
 Phacelia gilliioides Phacelia

## JUGLANDACEAE

Carya pallida Pale Hickory

## LAMIACEAE

Pycnanthemum albescens White Mountain Mint  
 Pycnanthemum torrei Mountain Mint  
 Synandra hispidula Hairy Synandra  
 LENTIBULARIACEAE

Utricularia cornuta Horned Bladderwort  
 Utricularia intermedia Flat-leaved

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Utricularia minor

## MALVACEAE

Iliamna remota

Sphaeralcea angusta

## MYRICACEAE

Comptonia peregrina

## NYCTAGINACEAE

Mirabilis hirsuta

## ONAGRACEAE

Circaea alpina

Oenothera perennis

## OROBANCHACEAE

Orobancha fasciculata

Orobancha ludoviciana

## OXALIDACEAE

Oxalis illinoensis

## PAPAVERACEAE

Corydalis aurea

Corydalis halei

Corydalis sempervirens

Bladderwort

Small  
Bladderwort

Kankakee Mallow

Globe Mallow

Sweetfern

Hairy  
Umbrella-wortSmall  
Enchanter's  
Nightshade

Small Sundrops

Clustered  
Broomrape

Broomrape

Illinois  
Sorrel

Wood

Golden Corydalis

Hale's Corydalis

Pink Corydalis

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## PLANTAGINACEAE

Plantago cordata

Heart-leaved  
Plantain

## POLEMONIACEAE

Phlox pilosa subsp.  
sangamonensis

Sangamon Phlox

## POLYGALACEAE

Polygala incarnata

Pink Milkwort

## POLYGONACEAE

Polygonum arifolium

Halbred-leaved  
Tearthumb

Polygonum careyi

Carey's  
Heartsease

Rumex hastatulus

Sour Dock

## PORTULACACEAE

Talinum calycinum

Fameflower

## PRIMULACEAE

Lysimachia fraseri

Loosestrife

Lysimachia radicans

Creeping  
Loosestrife

Primula mistassinica

Bird's-eye  
Primrose

## PYROLACEAE

Chimaphila maculata

Spotted  
Wintergreen

Chimaphila umbellata

Pipsissewa

~~Pyrola americana~~~~Round-leaved  
Shinleaf~~



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

## RANUNCULACEAE

Cimicifuga americana  
 Cimicifuga racemosa  
 Clematis crispa  
 Clematis occidentalis  
 Clematis viorna  
 Ranunculus cymbalaria

## RHAMNACEAE

Berchemia scandens  
 Ceanothus ovatus  
 Rhamnus alnifolia

## ROSACEAE

Amelanchier interior  
 Amelanchier sanguinea  
 Malus angustifolia  
 Potentilla millegrana  
 Rosa acicularis  
~~Rubus-ensleri~~  
 Rubus odoratus  
 Rubus setosus  
 Sanguisorba canadensis  
 Sorbus americana

American Bugbane  
 False Bugbane  
 Blue Jasmine  
 Mountain Clematis  
 Leatherflower  
 Seaside Crowfoot

Supple-jack  
 Redroot  
 Alder Buckthorn

Shadbush  
 Shadbush  
 Narrow-leaved Crabapple  
 Cinquefoil  
 Rose  
~~Arcing Dewberry~~  
 Purple-flowering Raspberry  
 Bristly Blackberry  
 American Burnet  
 American Mountain Ash

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Waldsteinia fragarioides

Barren Strawberry

## RUBIACEAE

Galium virgatum

Dwarf Bedstraw

## SALICACEAE

Populus balsamifera

Balsam Poplar

Salix serissima

Autumn Willow

Salix syrticola

Dune Willow

## SAPOTACEAE

Bumelia lanuginosa

Woolly Buckthorn

## SARRACENIACEAE

Sarracenia purpurea

Pitcher Plant

## SAXIFRAGACEAE

Ribes hirtellum

Northern Gooseberry

Saxifraga virginensis

Early Saxifrage

## SCROPHULARIACEAE

Castilleja sessiliflora

Downy Yellow Painted Cup

Collinsia violacea

Violet Collinsia

Melampyrum lineare

Cow Wheat

Mimulus glabratus

Yellow Monkey Flower

Penstemon brevisepalus

Short-sepaled Beard Tongue

Penstemon grandiflorus

Large-flowered Beard Tongue

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Veronica americana

American  
Brooklime

## STYRACACEAE

Halesia carolina

Silverbell Tree

Styrax grandifolia

Bigleaf Snowbell  
Bush

## TILIACEAE

Tilia heterophylla

White Basswood

## ULMACEAE

Planera aquatica

Water Elm

Ulmus thomasii

Rock Elm

## URTICACEAE

~~Urtica chamaedryoides~~

Nettle

## VALERIANACEAE

Valeriana uliginosa

Marsh Valerian

Valerianella chenopodiifolia

Corn Salad

Valerianella umbilicata

Corn Salad

## VIOLACEAE

Viola canadensis

Canada Violet

Viola incognita

Hairy White  
Violet

Viola primulifolia

Primrose Violet

Viola viarum

Plains Violet

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1050.40

## Threatened Flora of Illinois

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

SCIENTIFIC NAME

COMMON NAME

OPHIOGLOSSACEAE

~~Betula multifida~~~~Northern Grape  
Fern~~

HYMENOPHYLLACEAE

Trichomanes boschianumFilmy Fern

POLYPODIACEAE

~~Asplenium bradleyi~~~~Bradley's  
Spleenwort~~

Dennstaedtia punctilobula

Hay-scented Fern

CUPRESSACEAE

Juniperus communis

Ground Juniper

Thuja occidentalis

Arbor Vitae

PINACEAE

Larix laricina

Tamarack

CYPERACEAE

~~Carex atrovirens~~

Sedge

Carex crawei

Sedge

Carex laxiculmusSpreading SedgeCarex rostrataBeaked Sedge

Cyperus grayioides

Umbrella Sedge  
(Galingale)

Eleocharis rostellata

Spike Rush

Rhynchospora alba

Beaked Rush

Scirpus polyphyllus

Bulrush

IRIDACEAE



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Iris fulva

## LILIACEAE

Melanthium virginicum

Polygonatum pubescens

Stenanthium gramineum

Tofieldia glutinosa

Trillium viride

Veratrum woodii

## ORCHIDACEAE

Galeogen tuberosus

Corallorhiza maculata

Habenaria flava var. herbiola

## POACEAE

Calamagrostis insperata

Oryzopsis racemosa

## ARISTOLOCHIACEAE

Aristolochia serpentaria  
var. hastata

## ASCLEPIADACEAE

Asclepias stenophylla

Matelea obliqua

## ASTERACEAE

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Swamp Red IrisBunchflowerDowny Solomon's  
SealGrass-leaved Lily

False Asphodel

Green Trillium

False Hellebore

Grass-Pink  
OrchidSpotted  
Corral-root OrchidTuber-leafed OrchidArtemisia dracunculoides

Aster furcatus

Aster schreberi

Aster undulatus

Boltonia decurrens \*

Cirsium carolinianumCirsium hillii

Cirsium pitcheri\*

Helianthus angustifolius

Liatris scariosa  
var. nieuwlandii

Solidago sciaphila

## BRASSICACEAE

Cakile edentula

## CAPRIFOLIACEAE

Lonicera flava

Sambucus pubens

## CARYOPHYLLACEAE

Arenaria patula

## CELASTRACEAE

Elaeagnus americanus

## CONVOLVULACEAE

~~False Tarragon~~

Forked Aster

Schreber's Aster

Aster

~~Decurrent False  
Aster~~~~Carolina Thistle~~Hill's ThistlePitcher's (Dune)  
ThistleNarrow-leaved  
Sunflower

Blazing Star

Cliff Goldenrod

Sea Rocket

~~Yellow  
Honey-suckle~~Red-berried  
Elder~~Slender Sandwort~~~~Strawberry Bush~~

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

Stylisma pickeringii

DROSERACEAE

Drosera intermedia

ERICACEAE

Chamaedaphne calyculata

EUPHORBIACEAE

Acalypha deamii

FABACEAE

Lathyrus ochroleucus

FAGACEAE

Quercus phellos

Quercus prinus

LAMIACEAE

Salvia azurea subsp. pitcheri

ONAGRACEAE

Epilobium strictum

PAPAVERACEAE

Corydalis curvisiliqua  
var. grandibracteata

PRIMULACEAE

Trientalis borealis

RANUNCULACEAE

~~Patter-son~~  
~~Bindweed~~

Narrow-leaved  
Sundew

Leatherleaf

Large-seeded  
Mercury

Pale Vetchling

Willow Oak

Rock Chestnut  
Oak

Blue Sage

Downy Willow  
Herb

Corydalis

Star-flower

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

Cimicifuga rubifolia

Ranunculus rhomboideus

ROSACEAE

Filipendula rubra

Rubus pubescens

RUBIACEAE

Galium labradoricum

SAXIFRAGACEAE

Sullivantia renifolia

SCROPHULARIACEAE

Agalinus skinneriana

Besseyia bullii

Tomanthera auriculata

Veronica scutellata

STYRACACEAE

Styrax americana

URTICACEAE

Urtica chamaedryoides

VIOLACEAE

Viola conspersa

Dog Violet

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Black Cohosh

Prairie  
Buttercup

Queen-of-the-  
Prairie

Dwarf Raspberry

Bog Bedstraw

Sullivantia

Pale False  
Foxglove

Kittentails

Ear-leaved  
Foxglove

Marsh Speedwell

Storax

Nettle



## ILLINOIS REGISTER

ILLINOIS REGISTER 16314

## DEPARTMENT OF EMPLOYMENT SECURITY

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## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

## NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Claims, Adjudication, Appeals and Hearings

2) Code Citation: 56 Ill. Adm. Code 2720

3) Section Numbers: Proposed Action:  
2720.300 Amended Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 349, 409, 420, 450, 451, 452, 453, 455, 456, 470, 471, 473, 474, 474a, 500, 501, 502, 504, 530, 610, 611, 700, 702 and 704 [820 ILCS 405/239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304].

5) A Complete Description of the Subjects and Issues Involved:  
The amendment to Section 2720.300 requires that appeals to the Board of Review be filed, either by mail or in person, with the Board of Review. Appeals to the Board of Review will no longer be accepted by the local unemployment insurance office. This will allow the Board of Review greater control of its work load so as to improve its ability to promptly issue decisions.

6) Will the proposed amendment replace an emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives? Not Applicable.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Acting Commissioner  
Illinois Department of Employment Security  
401 South State Street - 2nd Floor South

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 23, 1993.

Types of small businesses affected: These rules only affect employers with 250 or more employees.

Reporting, bookkeeping or other procedures required for compliance: Employers would be required to report on electronic data processing media.

Types of professional skills necessary for compliance: Data processing.

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER a: GENERAL PROVISIONS

## PART 2720

## CLAIMS, ADJUDICATION, APPEALS AND HEARINGS

## SUBPART A: GENERAL PROVISIONS

## Section

2720.1 Definitions  
2720.3 "Week" In Relation To "Benefit Year"  
2720.5 Service Of Notices, Decisions, Orders  
2720.7 Application For Electronic Data Transmission  
2720.10 Computation Of Time  
2720.15 Disqualification Of Adjudicator, Referee, Or Board Of Review  
2720.20 Attorney Representation Of Claimants  
2720.25 Form Of Papers Filed  
2720.30 Correction Of Technical Errors

## SUBPART B: APPLYING FOR UNEMPLOYMENT INSURANCE BENEFITS

## Section

2720.100 Filing A Claim  
2720.101 Filing, Registering And Reporting By Mail Under Special Circumstances  
2720.105 Time For Filing An Initial Claim For Benefits  
2720.106 Dating Of Claims For Weeks Of Partial Unemployment  
2720.107 Employing Unit Reports For Partial Unemployment  
2720.108 Alternative "Base Period"  
2720.110 Required Second Visit To Local Office  
2720.115 Continuing Eligibility Requirements  
2720.120 Time For Filing Claim Certification For Continued Benefits  
2720.125 Work Search Requirements For Regular Unemployment Insurance Benefits (Repealed)  
2720.126 Availability For Part Time Work Only (Repealed)  
2720.127 Director's Approval Of Training (Repealed)  
2720.128 Active Search For Work: Attendance At Training Courses (Repealed)  
2720.129 Regular Attendance In Approved Training (Repealed)  
2720.130 Employing Unit Protest Of Benefit Payment  
2720.132 Required Notice By An Employer Of Separation For Alleged Felony Or Theft Connected With The Work  
2720.135 Adjudicator Investigation  
2720.140 Adjudicator Determination  
2720.145 Payment Of Unemployment Insurance Benefits For Initial Claims

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT(S)

2720.150 Applying For Unemployment Insurance Benefits Under Extension Programs  
2720.155 Non-Resident Application For Benefits  
2720.160 Reconsidered Findings Or Determinations

## SUBPART C: APPEALS TO REFEREE

## Section

2720.200 Filing Of Appeal  
2720.205 Notice Of Hearing  
2720.210 Preparation For The Hearing  
2720.215 Format Of Hearings  
2720.220 Ex Parte (One Party Only) Communications  
2720.225 Subpoenas  
2720.227 Depositions  
2720.230 Consolidation Or Severance Of Proceedings  
2720.235 Withdrawal Of Appeal  
2720.240 Continuances  
2720.245 Conduct Of Hearing  
2720.250 Rules Of Evidence  
2720.255 Failure Of Party To Appear At The Scheduled Hearing  
2720.265 The Record  
2720.270 Referee's Decision  
2720.275 Labor Dispute Appeals  
2720.277 Prehearing Conference In Labor Dispute Appeal

## SUBPART D: APPEALS TO THE BOARD OF REVIEW

## Section

2720.300 Filing Of Appeal  
2720.305 Notice Of Appeal  
2720.310 Request For Oral Argument  
2720.315 Submission Of Written Argument Or Request To Submit Additional Evidence  
2720.320 Access To Record  
2720.325 Withdrawal Of Appeal  
2720.330 Consolidation Or Severance Of Appeals  
2720.335 Decision Of The Board Of Review  
2720.340 Extensions Of Time In Which To Issue A Board Of Review Decision  
2720.345 Issuance Of Notice Of Right To Sue

AUTHORITY: Implementing and authorized by Sections 239, 409, 500, 604, 700, 701, 702, 703, 705, 706, 800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 349, 409, 420, 450, 451, 452, 453, 455, 456, 470, 471, 473, 474, 474a, 500, 501, 502, 504, 530, 610, 611, 700, 701, 702 and 704) [820 ILCS 405/239, 409, 500, 604, 700, 701, 702, 703, 705, 706,

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800, 801, 803, 804, 805, 1000, 1001, 1002, 1004, 1200, 1700, 1701, 2300, 2301, 2302 and 2304].

SOURCE: Adopted at 8 Ill. Reg. 24957, effective January 1, 1985; amended at 10 Ill. Reg. 12620, effective July 7, 1986; amended at 11 Ill. Reg. 14338, effective August 20, 1987; amended at 11 Ill. Reg. 18671, effective October 29, 1987; amended at 12 Ill. Reg. 14660, effective September 6, 1988; emergency amendments at 13 Ill. Reg. 11890, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 18263, effective November 9, 1989; amended at 14 Ill. Reg. 15334, effective September 10, 1990; amended at 14 Ill. Reg. 18489, effective November 5, 1990; amended at 16 Ill. Reg. 2556, effective January 30, 1992; emergency amendment at 16 Ill. Reg. 7506, effective April 22, 1992, for a maximum of 150 days; emergency expired September 19, 1992; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: APPEALS TO THE BOARD OF REVIEW

## Section 2720.300 Filing Of Appeal

- a) Any party may appeal a Referee's decision. An appeal shall be filed in person or by mail. The appeal must be filed within 30 days after the Referee's decision has been mailed to the parties (as indicated by the date shown on the decision). The appeal should must be filed at the address shown on the Referee's decision, either in person or by mail, at the Board of Review, 401 S. State St., 2nd Floor South, Chicago, IL 60605.
- b) No special form is necessary to file an appeal to the Board of Review. The appeal should comply with the following requirements:
  - 1) The appeal must be in writing, dated, and signed by the person appealing or his representative;
  - 2) The appeal must contain the docket number of the Referee's decision, and the name and social security number of the claimant;
  - 3) The appeal must set forth the parts of the decision with which the appealing party disagrees and the specific reasons for that disagreement.
- c) Any person may request help to write assistance in writing his appeal from the staff of the local office where his claim was filed. Timely filing of an appeal

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at the local office will be deemed timely filing of an appeal. However, the appeal must be filed with the Board of Review and not at the local office. If an appeal is not filed at the address shown in (a), timeliness will be determined by the date that the appeal is received by the Board of Review.

Example: An individual receives a Referee's decision with which he is not satisfied. Instead of filing an appeal with the Board of Review, he complains to his Congressman who forwards the complaint letter to the Board of Review. While this letter will be considered an appeal to the Board of Review, timeliness will be determined by the date that it is received by the Board of Review, not the date that it was sent to the Congressman.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



- 1) Heading of the Part: Notices, Records, Reports
- 2) Code Citation: 56 Ill. Adm. Code 2760
- 3) Section Number: Proposed Action:  
2760.140 Amended Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, par. 314, 344, 370, 380, 382, 450, 550, 551, 552, 554, 555, 610, 611, 616, 630, 631, 681 and 688 [820 ILCS 405/204, 234, 245, 300, 302, 700, 1400, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208].
- 5) A Complete Description of the Subjects and Issues Involved:  
It is very expensive to enter wage data into the Department's computer system when a large employer submits its quarterly wage report on paper. This proposed amendment is intended to require that all employers with more than 250 employees during either the prior or upcoming year to file their quarterly wage and contribution reports by electronic data processing media.
- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objective? This rulemaking does not create or expand a state mandate.

11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Acting Commissioner  
Illinois Department of Employment Security  
401 South State Street - 2nd Floor South  
Chicago, IL 60605  
312-793-4240

- Chicago, IL 60605  
312-793-4240
- 12) Initial Regulatory Flexibility Analysis:  
Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 23, 1993.  
Types of small businesses affected: The proposed rules are purely procedural and affect all businesses equally.  
Reporting, bookkeeping or other procedures required for compliance: None.  
Types of professional skills necessary for compliance: None.  
The full text of the Proposed Amendment begins on the next page:

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## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER C: RIGHTS AND DUTIES OF EMPLOYERS

## PART 2760

## NOTICES, RECORDS, REPORTS

## SUBPART A: GENERAL OBLIGATIONS

## Section

2760.1 Posting And Maintaining Notices  
2760.5 Identification Of Workers Covered By The Act  
2760.10 Filing By Mail

## SUBPART B: REPORTS AND RECORDS

2760.100 Reports  
2760.105 Reports Of Employing Units As To Their Status  
2760.110 Employing Unit Terminating Business  
2760.115 Records With Respect To Employment  
2760.120 Employer's Contribution Report  
2760.125 Employer's Wage Report  
2760.126 Wage Report Filing Extension Due To Flooding  
EMERGENCY  
2760.130 Reporting "Excess" Wages  
2760.135 Remittance Of Contributions Due And Use Of Transmittal Form  
2760.140 Use Of Electronic Data Processing Media For Quarterly Reporting  
2760.145 Correcting The "Employer's Contribution And Wage Report"  
2760.150 Consequences Of An Error In The Preparation Of The "Employer's Contribution And Wage Report"

AUTHORITY: Implementing and authorized by Sections 204, 234, 245, 300, 302, 700, 1400, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208 of the Unemployment Insurance Act (Ill. Rev. Stat. 1989, ch. 48, pars. 314, 344, 370, 380, 382, 450, 550, 551, 552, 554, 555, 577, 610, 611, 616, 630, 631, 681 and 688 [820 ILCS 405/204, 234, 245, 300, 302, 700, 1400, 1402, 1404, 1405, 1507, 1700, 1701, 1706, 1800, 1801, 2201 and 2208]).

SOURCE: Department of Labor, Bureau of Employment Security Regulations 4, 7 and 8, filed as amended May 3, 1977, effective May 13, 1977; Regulation 11 filed as amended May 4, 1977, effective May 14, 1977; Regulations 5 and 32 filed as amended June 23, 1977, effective July 3, 1977; Regulations 6 and 12 filed as amended September 12, 1977, effective September 12, 1977; rules repealed by

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operation of law on October 1, 1984; new rules adopted at 10 Ill. Reg. 6939, effective April 15, 1986; emergency amendment at 12 Ill. Reg. 222, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 13604, effective August 4, 1988; amended at 12 Ill. Reg. 16070, effective September 23, 1988; amended at 16 Ill. Reg. 3993, effective February 27, 1992; emergency amendment at 17 Ill. Reg. 13798, effective August 4, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: REPORTS AND RECORDS

Section 2760.140 Use Of Electronic Data Processing Media For Quarterly Reporting

a) Effective with the reports due for the first quarter of 1994, the reports required by Sections 2760.120 and 2760.125 must be filed by the use of an electronic data processing medium which meets with the prior written approval of the Director. The Director shall approve the use of electronic data processing media for reporting if he finds that:

- 1) All of the data required on the forms provided by the Director for quarterly reporting are also provided by the employer in the same format on the electronic data processing medium; and,
- 2) The employer's electronically data processed reports are compatible and readable by the electronic data processing equipment used by the Director without the need for any programming adjustment by the Director.

b) Subsection (a) shall only apply to an employer for a calendar year if, on the first day of such calendar year, the employer reasonably expects to have 250 or more individuals in its employ (though not necessarily at the same time) during the year or the employer had 250 or more individuals in its employ (though not necessarily at the same time) during the prior calendar year. Any employer who was authorized by the Director before the effective date of this Section to submit his quarterly report on electronic data processing media may continue to do so without further approval by the Director.

Example: During 1993, the employer has no more than 225 individuals in its employ at any one time. However, during the year, 25 of these

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individuals leave the employ of the employer and are replaced by 25 other individuals. Though the employer's labor force never exceeds 225 individuals at any one time, the employer had 250 individuals in its employ during 1993 and, therefore, is subject to subsection (a) for 1994.

- c) The failure of an employer which is subject to subsection (a) to report in the manner required by that subsection shall subject the employer to the penalties set forth in Section 1402 of the Act. Any report approved by the Director for submission by a electronic data processing medium must be accompanied by a certification, signed by the owner, partner or authorized officer or official, that the information submitted is true and correct to the best of his knowledge and belief and that no part of the contribution reported was or is to be deducted from the worker's wages.

- d) Where not required by subsection (a), the reports required by Sections 2760.120 and 2760.125 may be made by the use of an electronic data processing medium which meets the prior written approval of the Director. The Director shall approve the use of an electronic data processing medium for reporting if it meets the requirements of paragraphs 1 and 2 of subsection (a) and if the employer agrees to file both reports by the use of an electronic data processing medium.

- e) Any employer which was authorized by the Director before the effective date of this amended Section to submit both of its quarterly reports on an electronic data processing medium may continue to do so without further approval by the Director, on the condition that the medium continues to meet the requirements of paragraphs 1 and 2 of subsection (a). Such employer is, however, subject to the requirements of subsection (f) of this Section.

- f) The first report submitted pursuant to this Section for any calendar year must be accompanied by a certification, on a form provided for this purpose by the Director, signed by the owner, partner or authorized officer or official, that the information submitted is true and correct to the best of his knowledge and belief and that no part of the contribution reported was or is to be deducted from the worker's wages.

- g) The Director shall waive the reporting requirements of

this Section for any employer which has been granted a waiver of the electronic reporting requirements of Internal Revenue Service Procedure 91-33. If the waiver granted by the Commissioner of the Internal Revenue Service covers a period other than a calendar year, the Director shall waive the reporting requirements of this Section for the calendar year or years of which the Internal Revenue Service's waiver covers a portion.

Example: The Commissioner of the Internal Revenue Service waives the reporting requirements of Internal Revenue Service Procedure 91-33 for an employer for the period from July 1, 1994 through June 30, 1995. The Director shall waive the reporting requirements of this Section for both calendar years 1994 and 1995.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_).



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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1) Heading of Part: Clean Air Act Permit Program Procedures2) Code Citation: 35 Ill. Adm. Code 2703) Section Numbers: Proposed Action:

270.101	New Section
270.102	New Section
270.103	New Section
270.104	New Section
270.105	New Section
270.106	New Section
270.107	New Section
270.108	New Section
270.201	New Section
270.202	New Section
270.301	New Section
270.302	New Section
270.303	New Section
270.304	New Section
270.305	New Section
270.306	New Section
270.307	New Section
270.401	New Section
270.402	New Section
270.403	New Section
270.404	New Section
270.405	New Section
270.406	New Section
270.407	New Section
270.408	New Section
270.409	New Section
270.410	New Section
270.411	New Section
270.412	New Section
270.413	New Section
270.501	New Section
270.502	New Section
270.503	New Section
270.504	New Section
270.601	New Section
270.602	New Section

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270.603	New Section
270.604	New Section
270.605	New Section
270.606	New Section
270.607	New Section
270.608	New Section
270.609	New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010, 1027, 1028, and 1028.2 [415 ILCS 5/10, 27, 28, and 28.2].5) A Complete Description of the Subjects and Issues Involved: These rules are being proposed to provide additional detail regarding Illinois' Clean Air Act Permit Program ("CAAPP") provided at Ill. Rev. Stat. ch. 111 1/2, par. 1039.5 [415 ILCS 5/39.5] to assist the affected sources. The proposed rules provide specific procedures regarding the preparation and submittal of permit applications, permit reopenings, and permit fee billing and payment.6) Will this proposed rule replace an emergency rule currently in effect? \_\_\_ Yes X No7) Does this rulemaking contain an automatic repeal date? \_\_\_ Yes X No

If "yes," please specify the date: \_\_\_\_\_

8) Does this proposed rule (amendment, repealer) contain incorporations by reference?  
\_\_\_ Yes X No9) Are there any other proposed amendments pending on this Part? \_\_\_ Yes X No10) Statement of Statewide Policy Objectives: These proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203(b)) [30 ILCS 805/2203(b)].11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

A public hearing will be held on the proposed rules on November 10, 1993, at 10:00 a.m., in Conference Room "D" at the offices of the Illinois Environmental Protection Agency, Bureau of Air located at 1340 North Ninth Street, Springfield, Illinois.

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The Agency will consider all written comments regarding this rulemaking postmarked within 45 days of the date of this publication. Written comments need not be notarized and should be addressed to:

Sharon M. Davis  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

- 12) Initial Regulatory Flexibility Analysis: No small businesses will be affected to a degree greater than is required by current statutes and regulations; consequently a regulatory flexibility analysis is not applicable.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 9-28-93

B) Types of small businesses affected: The only small businesses that may be affected are those that become subject to the CAAPP. Currently, only major sources of air pollution are subject.

C) Reporting, bookkeeping or other procedures required for compliance: none

D) Types of professional skills necessary for compliance: none

The full text of the Proposed Rule begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 270  
CLEAN AIR ACT PERMIT PROGRAM PROCEDURES

## SUBPART A: GENERAL PROVISIONS

Section  
270.101  
270.102  
270.103  
270.104  
270.105  
270.106  
270.107  
270.108

Purpose  
Definitions  
Existing CAAPP Source  
Initial CAAPP Application  
New CAAPP Source  
Standard Industrial Classification (SIC) Code  
Applicability  
Incorporation by Reference

## SUBPART B: TRANSITION

Section  
270.201  
270.202

Schedule for Submission of Initial CAAPP Applications  
for Existing CAAPP Sources  
Transition from the State Operating Permit Program

## SUBPART C: CAAPP APPLICATIONS

Section  
270.301  
270.302  
270.303  
270.304  
270.305  
270.306  
270.307

Application Submittal  
Application Submittal for Modifications of CAAPP  
Permits  
Agency Determination of Completeness  
Effect of a Timely and Complete Application Submittal  
Subsequent Agency Request for Information  
Submittal of New or Revised Information  
Agency Action on CAAPP Applications

## SUBPART D: CONTENTS OF CAAPP APPLICATIONS

Section  
270.401  
270.402  
270.403  
270.404  
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270.406  
270.407

General Application Information  
General Source Information  
Information for Individual Emission Units  
Compliance Plan/Schedule of Compliance  
Compliance Certification  
Operational Flexibility  
Startup

270.408 Malfunction or Breakdown  
270.409 Confidential Information  
270.410 Permit Shield  
270.411 Accidental Releases  
270.412 MACT Determination  
270.413 Acid Rain

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.102 Definitions

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in Section 39.5 of the Act and 35 Ill. Adm. Code 211.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.103 Existing CAAPP source

"Existing CAAPP source" means a CAAPP source that commenced operation prior to the effective date of the CAAPP.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.104 Initial CAAPP application

"Initial CAAPP application" means the first CAAPP application submitted for an existing CAAPP source.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.105 New CAAPP source

"New CAAPP source" means a CAAPP source that is not an existing CAAPP source.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.106 Standard Industrial Classification (SIC) Code

"Standard Industrial Classification (SIC) Code" means the 2-, 3-, or 4- digit code for a source based on the primary activity conducted at the source, as determined from the Standard Industrial Classification Manual (1987), Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, incorporated by reference in Section 270.108 of this Part.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.107 Applicability

This Part applies to the owner or operator of any source required to have an operating permit pursuant to Section 39.5 of the Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

270.408 Malfunction or Breakdown  
270.409 Confidential Information  
270.410 Permit Shield  
270.411 Accidental Releases  
270.412 MACT Determination  
270.413 Acid Rain

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.102 Definitions

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in Section 39.5 of the Act and 35 Ill. Adm. Code 211.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.103 Existing CAAPP source

"Existing CAAPP source" means a CAAPP source that commenced operation prior to the effective date of the CAAPP.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.104 Initial CAAPP application

"Initial CAAPP application" means the first CAAPP application submitted for an existing CAAPP source.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.105 New CAAPP source

"New CAAPP source" means a CAAPP source that is not an existing CAAPP source.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.106 Standard Industrial Classification (SIC) Code

"Standard Industrial Classification (SIC) Code" means the 2-, 3-, or 4- digit code for a source based on the primary activity conducted at the source, as determined from the Standard Industrial Classification Manual (1987), Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, incorporated by reference in Section 270.108 of this Part.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

Section 270.107 Applicability

This Part applies to the owner or operator of any source required to have an operating permit pursuant to Section 39.5 of the Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)





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## SUBPART C: CAAPP APPLICATIONS

## Section 270.301 Application Submittal

a) In order for a submittal to be deemed timely, an owner or operator of an existing CAAPP source shall submit to the Agency a complete initial CAAPP application in accordance with the schedule set forth in Section 270.201 of this Part. An owner or operator of an existing CAAPP source may voluntarily submit its initial CAAPP application prior to the date required in this Part, provided that the CAAPP submittal to the Agency is subsequent to the date the Agency submits the CAAPP to USEPA for approval.

b) In order for a submittal to be deemed timely, an owner or operator of a new CAAPP source shall submit to the Agency a complete CAAPP application as follows:

1) For a new CAAPP source that begins operation within 12 months after the effective date of the CAAPP, a complete CAAPP application shall be submitted by the earlier of:

A) 3 months after the source begins operation; or

B) 12 months after the effective date of the CAAPP.

2) For a new CAAPP source that begins operation more than 12 months after the effective date of the CAAPP, a complete CAAPP application shall be submitted in accordance with the following:

A) If the source becomes subject to Section 39.5 of the Act as a result of a regulatory change, including a change in attainment status, nonattainment classification, or applicability criteria for a pollutant, a CAAPP application shall be submitted in accordance with the deadlines set forth in the applicable regulation or, if not specified, not later than 12 months after the date the regulatory change is finally promulgated;

B) If the source is a major new source for which

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a permit has been issued under the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21, or under the New Source Review rules at 35 Ill. Adm. Code 203, a complete CAAPP application shall be submitted not later than 12 months after the source begins operation; or

C) For any other new CAAPP source, a complete CAAPP application shall be submitted at least 12 months prior to commencing operation of such source.

c) An owner or operator of a new CAAPP source must comply with all applicable construction permit requirements.

d) In order for a submittal to be deemed timely, an owner or operator of a CAAPP source shall submit to the Agency a complete CAAPP application for the renewal of a CAAPP permit not later than 9 months before the date of permit expiration of the existing CAAPP permit

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

Section 270.302 Application Submittal for Modifications of CAAPP Permits

a) A complete application for a significant modification of a CAAPP permit shall be submitted to the Agency not later than 9 months prior to the date of implementation of the proposed change.

b) A complete application for a permit modification under Section 112(g) of the Clean Air Act shall be submitted to the Agency not later than 12 months after implementation of the proposed change. However, if the proposed change is a significant modification, subsection (a) above shall apply.

c) A complete application for a minor permit modification of a CAAPP permit using the minor permit modification or group processing procedure shall be submitted to the Agency prior to the date of implementation of the proposed change consistent with Section 39.5(14) of the Act.

d) A written request for an administrative permit amendment of a CAAPP permit shall be submitted to the

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Agency prior to the date of implementation of the proposed change.

- e) A construction permit may be incorporated into a CAAPP permit through the administrative permit amendment procedures, pursuant to Section 39.5(13)(c)(v) of the Act, if procedural and compliance requirements substantially equivalent to those for the issuance of CAAPP permits were met in the issuance of the construction permit; otherwise, the construction permit must be incorporated into the CAAPP permit through the significant modification procedures.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.303 Agency Determination of Completeness

- a) In order for an initial or renewal CAAPP application or an application for a significant modification to be deemed complete by the Agency, the application shall provide all of the information required in Subparts C and D of the Part applicable to the source for which the application is being submitted.

- b) THE AGENCY SHALL PROVIDE NOTICE TO A CAAPP APPLICANT AS TO WHETHER A SUBMITTED CAAPP APPLICATION IS COMPLETE. UNLESS THE AGENCY NOTIFIES THE APPLICANT OF INCOMPLETENESS WITHIN 60 DAYS OF RECEIPT OF THE CAAPP APPLICATION, THE APPLICATION SHALL BE DEEMED COMPLETE.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.304 Effect of a Timely and Complete Application Submittal

- a) Except as provided in subsection (b) below, an owner or operator of a CAAPP source shall not be in violation of the requirement to have a CAAPP permit under Section 39.5 of the Act if such owner or operator has submitted a timely and complete CAAPP application, until the Agency takes final action on the CAAPP application.

- b) If the owner or operator of a CAAPP source fails to submit additional information requested by the Agency by the reasonable deadline specified pursuant to Section 270.305 of this Part, the owner or operator shall be in violation of the requirement to have a CAAPP permit under Section 39.5 of the Act.

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(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.305 Subsequent Agency Request for Information

- a) THE AGENCY MAY REQUEST ADDITIONAL INFORMATION AS NEEDED TO MAKE A COMPLETENESS DETERMINATION. THE AGENCY MAY TO THE EXTENT PRACTICABLE PROVIDE THE APPLICANT WITH A REASONABLE OPPORTUNITY TO CORRECT DEFICIENCIES PRIOR TO A FINAL DETERMINATION OF COMPLETENESS.

- b) If, while processing an application that has been determined or deemed to be complete, the Agency determines that additional information is necessary to evaluate or take final action on that application, it may request such information in writing and set a reasonable deadline for response.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.306 Submittal of New or Revised Information

ANY APPLICANT WHO FAILS TO SUBMIT ANY RELEVANT FACTS NECESSARY TO EVALUATE THE SUBJECT SOURCE AND ITS CAAPP APPLICATION OR WHO HAS SUBMITTED INCORRECT INFORMATION IN A CAAPP APPLICATION SHALL, UPON BECOMING AWARE OF SUCH FAILURE OR INCORRECT SUBMITTAL, SUBMIT SUPPLEMENTARY FACTS OR CORRECT INFORMATION TO THE AGENCY. IN ADDITION, AN APPLICANT SHALL PROVIDE TO THE AGENCY ADDITIONAL INFORMATION AS NECESSARY TO ADDRESS ANY REQUIREMENTS WHICH BECOME APPLICABLE TO THE SOURCE SUBSEQUENT TO THE DATE THE APPLICANT SUBMITTED ITS COMPLETE CAAPP APPLICATION BUT PRIOR TO RELEASE OF THE DRAFT CAAPP PERMIT.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.307 Agency Action on CAAPP Applications

- a) In accordance with Section 39.5(10) of the Act, THE AGENCY SHALL ISSUE OR DENY THE CAAPP PERMIT WITHIN 18 MONTHS AFTER THE DATE OF RECEIPT OF THE COMPLETE CAAPP APPLICATION, WITH THE FOLLOWING EXCEPTIONS,

- 1) PERMITS FOR AFFECTED SOURCES FOR ACID DEPOSITION SHALL BE ISSUED OR DENIED WITHIN 6 MONTHS AFTER RECEIPT OF A COMPLETE APPLICATION IN ACCORDANCE WITH Section 39.5(17) of the Act;
- 2) THE AGENCY SHALL ACT ON INITIAL CAAPP APPLICATIONS WITHIN 24 MONTHS AFTER THE DATE OF RECEIPT OF THE



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requested by the Agency.

- 3) THE AGENCY SHALL ACT ON COMPLETE APPLICATIONS CONTAINING EARLY REDUCTION DEMONSTRATIONS UNDER SECTION 112(i)(5) OF THE CLEAN AIR ACT WITHIN 9 MONTHS OF RECEIPT OF THE COMPLETE CAAPP APPLICATION.
- b) WHERE THE AGENCY DOES NOT TAKE FINAL ACTION ON THE PERMIT WITHIN THE REQUIRED TIME PERIOD, THE PERMIT SHALL NOT BE DEEMED ISSUED; RATHER, THE FAILURE TO ACT SHALL BE TREATED AS A FINAL PERMIT ACTION FOR PURPOSES OF JUDICIAL REVIEW PURSUANT TO SECTIONS 40.2 AND 41 OF THE ACT.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## SUBPART D: CONTENTS OF CAAPP APPLICATIONS

## Section 270.401 General Application Information

- a) An owner or operator of a CAAPP source shall submit to the Agency four copies of a single complete CAAPP application covering all emission units and air pollution control equipment at the source.
- b) A CAAPP application shall contain a table of contents and a list of items and activities for which a permit is being sought.
- c) A CAAPP application shall contain all information sufficient to evaluate the subject source and its application, to determine all applicable requirements, including establishing the basis for fees, and to evaluate compliance of the subject source with these applicable requirements.
- d) Information, as specified in Section 270.402 (excluding Section 207.402(a)) through Section 270.405 of this Part, is not required to be submitted for insignificant activities or emission levels at the source, as defined by applicable Board regulations, provided a list of such activities or emission levels is submitted in the application identifying the particular definition under which each listed activity or emission level qualifies as significant and accompanied by a certification that all listed activities and emission levels qualify as insignificant, unless additional information is

- e) A CAAPP application shall contain a certification by a responsible official that, based on information and belief formed by the responsible official after reasonable inquiry, the statements and information in the application are true, accurate, and complete. This certification shall be dated and signed by the responsible official.
- f) AN OWNER OR OPERATOR OF A CAAPP SOURCE WHICH SEEKS EXCLUSION FROM THE CAAPP THROUGH THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS, limiting the potential to emit of the source to a level below the major source threshold as described in Section 39.5(2)(c) of the Act, MUST REQUEST SUCH EXCLUSION WITHIN A CAAPP APPLICATION SUBMITTED CONSISTENT WITH THIS PART ON OR AFTER THE DATE THAT THE CAAPP APPLICATION FOR THE SOURCE IS DUE. PRIOR TO SUCH DATE, BUT IN NO CASE LATER NINE MONTHS AFTER THE EFFECTIVE DATE OF THE CAAPP, SUCH OWNER OR OPERATOR MAY REQUEST THE IMPOSITION OF FEDERALLY ENFORCEABLE CONDITIONS PURSUANT TO Section 39.5(1.1)(b) of the Act.

- g) Notwithstanding other provisions of this Subpart, once the Agency has issued a general permit for a source category, the Agency may waive the requirement for submittal of particular information in subsequent applications for coverage under such general permit, provided that such applications meet all requirements of Title V of the Clean Air Act and include all information necessary to determine qualification for and to assure compliance with the general permit.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 270.402 General Source Information

Consistent with Section 270.401(d) of this Part a CAAPP application shall contain the following:

- a) Source identifying information including company name and address (or plant name and address if different from company name), owner's name and agent, operator's name (if different from owner), and telephone number and names of plant site manager/contact;
- b) A process flow diagram that shows all emission units

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and air pollution control equipment, and the relationship and connections between these items at the source. If this information cannot be provided on a single diagram, process flow diagrams for groups of related emission units or individual departments at the source and a source overview diagram showing the relationship and connections between the different groups or departments at the source may be provided;

- c) Identification and description of the source's processes and products by Standard Industrial Classification Code including any associated with each reasonably anticipated operating scenario for which a permit is being sought, which may be described in terms of ranges of operating parameters;
- d) A plot plan/map of the location of the source which shows the location of buildings, stacks and vents. The plot/plan map must also depict the area surrounding the source including structures such as residences, hospitals, schools, nursing homes, commercial establishments, and manufacturing sites within one-quarter mile of the source;
- e) Upon request by the Agency, a source layout drawing showing the basic geometric shape of each building or structure at the source which contains an emission unit that is itself major and indicating each stack and vent;
- f) Limitations on source operations affecting emissions or any work practice standards, where applicable, if different than those provided for individual emission units pursuant to Section 270.403(1) of this Part;
- g) Identification and description of each reasonably anticipated operating scenario of processes at the source and the emission rates associated with each such operating scenario;
- h) A summary of all hazardous air pollutants listed in Section 112(b) of the Clean Air Act emitted at the source that includes a list of such pollutants emitted and the maximum and typical emission rates in tons-per-year and in such other terms as are necessary to establish the applicability of requirements consistent with the applicable standard reference test methods;

- i) An early reduction demonstration for hazardous air pollutants if the owner or operator of the source is applying for an extension pursuant to Section 112(i)(5) of the Clean Air Act;
- j) The name and address of the party to be billed and the name and telephone number of an individual capable of answering questions concerning billing; and
- k) Calculations used to determine all the emission rates as required above if different than those provided for individual emission units pursuant to Section 270.403(g) of this Part.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 270.403 Information for Individual Emission Units

A CAAPP application shall contain the following for each emission unit, for each mode of operation for which a permit is being sought:

- a) Identification and description of the emission unit and the mode of operation for which a permit is being sought;
- b) Citation and description of all applicable requirements, including requirements that will become effective during the term of a permit if such requirement has been promulgated at the time of permit application;
- c) Description of the applicable test method relied upon for determining compliance with each applicable requirement;
- d) Identification and description of compliance monitoring devices or activities, including recordkeeping and reporting activities to the extent that they are emissions related;
- e) The maximum emission rates for each regulated air pollutant and air pollutant for which the source is major in tons-per-year, pounds-per-hour (unless emissions are not normally calculated in pounds-per-hour) and in such other terms that are necessary to establish the applicability of requirements and compliance with the applicable limitations and

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standards, and consistent with the applicable standard reference test methods. Estimates of typical emissions shall be included if different than the above maximum emission rates in the same terms as the maximum emission rates;

- f) Allowable emissions in tons-per-year and in such other terms as necessary to allow the determination of fees and to establish any associated permit limits;
- g) Calculations on which the emission rates required by subsections (e) and (f) above are based;
- h) Fuels and raw materials used, maximum and typical fuel use, raw material use rates, production rates and operating schedules, characteristics of fuels or raw materials and material balance information to the extent they are air emissions-related and the calculations on which this information is based;
- i) Identification and description of air pollution control equipment and control methods and information describing their effectiveness, including operating parameters or pollutant reduction efficiencies during maximum and typical operation of associated emission units, and the calculations on which the information is based;
- j) Identification and description of pollutant exhaust points, including discharge heights, stack parameters for each stack, such as flow rates, exhaust temperature, and stack diameter, and other exhaust point information required by applicable rules to demonstrate compliance;
- k) Identification of any proposed exemptions from otherwise applicable requirements, including any explanation and justification of the applicability of such exemptions, with supporting calculations;
- l) Limitations on unit operations affecting emissions or any work practice standards, where applicable; and
- m) Other information that is specifically required by any applicable requirement.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

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## Section 270.404 Compliance Plan/Schedule of Compliance

A CAAPP application shall contain a compliance plan/schedule of compliance for all emission units at the source, regardless of the compliance status of each emission unit, that contains the following:

- a) A description of the compliance status of all emission units at the source with respect to all applicable requirements as follows:
  - 1) For applicable requirements with which the source is in compliance at the time of application submittal, a statement that the source will continue to comply with such requirements during the permit term;
  - 2) For applicable requirements that will become effective during the permit term, a statement that the source will achieve compliance with such requirements on a timely basis and will continue to comply with such requirements during the permit term;
  - 3) For applicable requirements with which the source is not in compliance at the time of application submittal but will be in compliance with prior to permit issuance, a statement that the source will achieve compliance prior to permit issuance and will continue to comply with such requirements during the permit term; and
  - 4) For applicable requirements with which the source is not in compliance at the time of application submittal and will not be in compliance with at the time of permit issuance, a narrative description of how the source will achieve compliance with such requirements;
- b) A compliance plan/schedule of compliance addendum for emission units described in subsection (b)(4) above that includes a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any such applicable requirements for which the source will be in noncompliance at the time of application submittal. This compliance plan/schedule of compliance addendum



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shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject;

- c) A schedule for submission of certified progress reports no less frequently than every 6 months for sources required to have a compliance plan/schedule of compliance to remedy a violation; and

- d) For an affected source of acid rain deposition, the compliance plan/schedule of compliance content requirements specified in this Section shall apply to and be included in the compliance plan/schedule of compliance of such source's Phase II acid rain permit, for an affected source for acid deposition, except as specifically superseded by regulations promulgated under Title IV of the Clean Air Act with regard to schedule and method(s) the source will use to achieve compliance with the acid rain emissions limitations.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.405 Compliance Certification

A CAAPP application shall contain a compliance certification that contains the following:

- a) A certification of compliance with all applicable requirements except those identified, signed by a responsible official consistent with Section 270.401(e) of this Part;
- b) A statement of methods used for determining compliance, including a description of monitoring, record keeping, and reporting requirements and test methods;
- c) A proposed schedule for submission of compliance certifications during the permit term, to be submitted no less frequently than annually, or more frequently if specified by the underlying applicable requirement or by the Agency; and
- d) A statement indicating the source's compliance status with all applicable enhanced monitoring and compliance certification requirements of the Clean Air Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

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## Section 270.406 Operational Flexibility

If the owner or operator of a CAAPP source desires a CAAPP permit which contains terms and conditions allowing for the trading of emissions increases and decreases at the CAAPP source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements, then the application must contain such a request and include proposed replicable procedure and permit terms (including reporting and record keeping procedures) that can be placed in the permit to ensure that any proposed emissions trades are quantifiable and enforceable.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.407 Startup

A request to exceed the standards or limitations of Subchapter c of Chapter I of the Board's Air Pollution regulations (35 Ill. Adm. Code 212 et seq.) during startup of an emission unit, if desired, must be contained in the CAAPP application and shall include at a minimum a description of the startup procedure, the duration and frequency of such startups, the types and quantities of emissions during startup and the applicant's efforts to minimize any such startup emissions, duration of individual startups and frequency of startups, and all calculations used to determine the above information. In no event shall permission be given to operate during startup where such startup would result in an exceedance of the ambient air quality standard. The Agency may grant permission to operate during startup in accordance with 35 Ill. Adm. Code 201.262.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.408 Malfunction or Breakdown

A request to continue to operate an emission unit in excess of the standards or limitations of Subchapter c of Chapter I of the Board's Air Pollution regulations (35 Ill. Adm. Code 212 et seq.) during a malfunction or breakdown of the emission unit or related air pollution control equipment, if desired, must be contained in the CAAPP application and shall include, at a minimum a detailed explanation of why such continued operation will be necessary, the nature of any anticipated malfunction or breakdown; emission points and quantities of emissions which will occur during such continued operation; the anticipated length of time during which such operation will continue; all measures, such as use of off-shift labor or equipment, which will be taken to minimize the

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quantity of air contaminant emissions and length of time during which such operation will continue; and the calculations used to determine the above information. The Agency may grant permission to operate during a malfunction or breakdown in accordance with 35 Ill. Adm. Code 201.262.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.409 Confidential Information

If the applicant determines that certain submitted information in the CAAPP application be held confidential, the applicant shall mark and claim such information according to the Act and applicable regulations.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.410 Permit Shield

THE OWNER OR OPERATOR OF A CAAPP SOURCE SEEKING A PERMIT SHIELD in its CAAPP permit PURSUANT TO SECTION 39.5(7)(j) of the Act SHALL REQUEST SUCH PERMIT SHIELD IN THE CAAPP APPLICATION REGARDING THAT SOURCE.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.411 Accidental Releases

The owner or operator of a CAAPP source shall certify in its CAAPP application, if applicable, that it has registered its risk management plan pursuant to Section 112(r) of the Clean Air Act or that it intends to comply with such requirement in accordance with its compliance plan/schedule of compliance.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.412 MACT Determination

The CAAPP application must contain a proposed determination of maximum achievable control technology (MACT) for hazardous air pollutants (HAPs) in accordance with Section 112 of the Clean Air Act, if applicable.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.413 Acid Rain

- a) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR

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ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE PHASE II ACID RAIN PERMIT APPLICATION AND COMPLIANCE PLAN TO THE AGENCY, NOT LATER THAN JANUARY 1, 1996, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN AIR ACT AND REGULATIONS, in accordance with Section 39.5(17) of the Act.

- b) A DESIGNATED REPRESENTATIVE OF AN AFFECTED SOURCE FOR ACID DEPOSITION SHALL SUBMIT A TIMELY AND COMPLETE TITLE IV NOX PERMIT APPLICATION TO THE AGENCY, NOT LATER THAN JANUARY 1, 1998, THAT MEETS THE REQUIREMENTS OF TITLES IV AND V OF THE CLEAN AIR ACT AND ITS REGULATIONS, in accordance with Section 39.5(17) of the Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## SUBPART E: REOPENINGS

## Section 270.501 Applicability

The provisions of this Subpart shall apply only if:

- a) The Agency determines that cause exists to reopen and revise a CAAPP permit, pursuant to Section 39.5(15)(a) of the Act; or
- b) USEPA determines that cause exists to reopen and modify a CAAPP permit, pursuant to Section 39.5(16) of the Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.502 Purpose

This Subpart specifies the procedures for the reopening and revision of a CAAPP permit initiated by the Agency or USEPA pursuant to Section 270.501 of this Part. These procedures shall affect only those parts of a CAAPP permit for which cause to reopen exists.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.503 Reopenings Initiated by the Agency

- a) The Agency shall reopen and revise a CAAPP permit for any of the following reasons:

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- 1) ADDITIONAL REQUIREMENTS UNDER THE CLEAN AIR ACT BECOME APPLICABLE TO A MAJOR CAAPP SOURCE FOR WHICH THREE OR MORE YEARS REMAIN ON THE ORIGINAL TERM OF THE PERMIT. SUCH A REOPENING SHALL BE COMPLETED NOT LATER THAN 18 MONTHS AFTER THE PROMULGATION OF THE APPLICABLE REQUIREMENT. NO SUCH REVISION IS REQUIRED IF THE EFFECTIVE DATE OF THE REQUIREMENT IS LATER THAN THE DATE ON WHICH THE PERMIT IS DUE TO EXPIRE;
- 2) ADDITIONAL REQUIREMENTS (INCLUDING EXCESS EMISSIONS REQUIREMENTS) BECOME APPLICABLE TO AN AFFECTED SOURCE FOR ACID DEPOSITION UNDER THE ACID RAIN PROGRAM. EXCESS EMISSIONS OFFSET PLANS SHALL BE DEEMED TO BE INCORPORATED INTO THE PERMIT UPON APPROVAL BY USEPA;
- 3) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT CONTAINS A MATERIAL MISTAKE OR THAT INACCURATE STATEMENTS WERE MADE IN ESTABLISHING THE EMISSIONS STANDARDS, LIMITATIONS, OR OTHER TERMS OR CONDITIONS OF THE PERMIT; OR
- 4) THE AGENCY OR USEPA DETERMINES THAT THE PERMIT MUST BE REVISED OR REVOKED TO ASSURE COMPLIANCE WITH THE APPLICABLE REQUIREMENTS.

## b) Notice to reopen

- 1) The Agency shall provide written notice to the owner or operator of the CAAPP source of its intent to reopen a CAAPP permit at least 30 days prior to the date the permit is to be reopened, except that the Agency may provide a shorter time period in the case of an emergency.
- 2) The notice shall include the grounds for the reopening and revision, including the terms and conditions that the Agency proposes to change, delete or add to the permit, and the information relied upon to make such determination. If the Agency deems it necessary, the notice shall include a request for the CAAPP source to update and resubmit those parts of the CAAPP permit application subject to the reopening within a reasonable time frame.

## c) Response

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- 1) The CAAPP source may submit to the Agency a written response to the notice to reopen and revise the CAAPP permit within 30 days of receipt of the Agency's notice.
- 2) The response shall include the following, as applicable:
  - A) Details as to immediate plans for compliance with applicable requirements, including a proposed compliance plan and schedule of compliance;
  - B) Any explanation of the source's current failure to comply with applicable requirements;
  - C) An explanation for and correction of any inaccurate statements made in the CAAPP application that were used to establish the emission standards, limitations, or other terms or conditions in the CAAPP permit; and
  - D) An assessment of the Agency's proposed correction of any material mistake found in the CAAPP permit.
- 3) If requested in the notice, the owner or operator of the CAAPP source shall submit to the Agency, within a reasonable time frame specified in the notice, a revised CAAPP application.
  - d) Draft permit or statement
    - 1) Within 90 days after receipt of the source's response or revised CAAPP application, whichever is later, the Agency shall prepare a draft CAAPP permit and statement of basis in compliance with the requirements of Section 39.5(8) of the Act and 35 Ill. Adm. Code 252 or a statement that the CAAPP permit does not need to be reopened and revised.
    - 2) The Agency shall include in the draft CAAPP permit such conditions as the Agency determines are necessary to assure compliance with all applicable requirements and correct any material mistakes or inaccurate statements described in the notice.



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- 3) The Agency may, to the extent practicable, provide the owner or operator of the CAAPP source with a reasonable opportunity to review and comment on the draft CAAPP permit prior to public notice.
- 4) The Agency shall give notice of the draft CAAPP permit to the public, the owner or operator of the CAAPP source and affected States in accordance with the requirements of Section 39.5(8) of the Act and 35 Ill. Adm. Code 252.
- e) The requirements of Section 39.5(9) of the Act and 35 Ill. Adm. Code 252 regarding USEPA notice and objection shall apply to this Subpart.

- f) The Agency shall reissue the CAAPP only if all the requirements of Section 39.5(10) of the Act have been met.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 270.504 Reopenings Initiated by USEPA

- a) If USEPA notifies the Agency and permittee that cause exists to modify a CAAPP permit, the Agency shall send to USEPA and the permittee a proposed determination of modification, with supporting information explaining the grounds for the proposed determination. THE PROPOSED DETERMINATION SHALL BE IN ACCORDANCE WITH THE RECORD, THE CLEAN AIR ACT, REGULATIONS PROMULGATED THEREUNDER, the ACT, AND REGULATIONS PROMULGATED THEREUNDER. SUCH PROPOSED DETERMINATION SHALL NOT AFFECT THE PERMIT OR CONSTITUTE A FINAL PERMIT ACTION FOR PURPOSES OF the ACT OR THE ADMINISTRATIVE REVIEW LAW.

- b) The proposed determination and supporting information shall be sent to USEPA and the permittee within 90 days of receipt of USEPA's notification or 180 days if USEPA has extended the period for response.

- c) If USEPA objects to the proposed determination within 90 days of receipt, the Agency shall, within 90 days after receipt of such objection, resolve the objection and modify the CAAPP permit in accordance with USEPA's objection, based upon the record, the Clean Air Act, regulations promulgated thereunder, the Act, and regulations promulgated thereunder.

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- d) If USEPA does not object to the proposed determination within 90 days of receipt, the Agency shall, within seven days of receipt of USEPA's final approval or within seven days after expiration of the 90-day period, whichever is earlier, take final action in accordance with the Agency's proposed determination.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## SUBPART F: FEES

## Section 270.601 Purpose

These rules specify the procedures for the determination and collection of fees required by Section 39.5(18) of the Act.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 270.602 Definitions

The following terms are defined for purposes of this Subpart.

"Regulated air pollutant" has the meaning given to it under Section 39.5(1) of the Act but shall exclude:

- a) Carbon monoxide;
- b) Any Class I or Class II substance which is regulated solely because it is listed pursuant to Section 602 of the Clean Air Act;
- c) Any pollutant that is a regulated air pollutant solely because it is subject to a standard or regulation under Section 112(r) of the Clean Air Act based on the emissions allowed in the permit effective in that calendar year, at the time the bill is generated; and
- d) During the years 1995 through 1999 inclusive, any emissions from affected sources for acid deposition pursuant to Section 408(c)(4) of the Clean Air Act, but not excluding emissions from any substitute unit or emissions from any unit that is not an affected unit at the affected source.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 270.603 Amount of Fee

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a) For each twelve month period beginning after the date on which USEPA approves or conditionally approves the CAAPP, but in no event prior to January 1, 1994, an owner or operator of a source subject to the CAAPP or excluded pursuant to Section 39.5(1.1) or 39.5(3)(c) of the Act shall pay a fee in accordance with the following:

- 1) The fee for a source allowed to emit less than 100 tons per year of any combination of regulated air pollutants shall be \$1,000 per year; and
- 2) The fee for a source allowed to emit 100 tons or more per year of any combination of regulated air pollutants shall be the dollar per ton amount set forth within Section 39.5(18) of the Act for each ton of allowable emissions of regulated air pollutants at that source.

b) The amount of the fee shall be based on the allowable emissions information submitted by the applicant in the fee calculation portion of its CAAPP application, not including emissions of insignificant levels or from insignificant activities, pursuant to 35 Ill. Adm. Code 201.

c) No owner or operator of a source shall be required to pay an annual fee in excess of \$100,000.

d) Following the first year of the CAAPP, a fee in excess of \$5,000 may be paid annually or semiannually.

e) In the event that an owner or operator of a source has paid a fee pursuant to Section 9.6 of the Act during the twelve month period following the effective date of the CAAPP, that fee amount shall be deducted from any amount due pursuant to this Part for that same twelve month period.

f) No owner or operator of a source shall be required to pay more than a single dollar-per-ton fee during any billing period for any ton of pollutant emitted (i.e., lead is a particulate (PM-10) and a separate criteria pollutant but will only be subject to a single dollar-per-ton fee).

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

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Section 270.604 Billing Procedures

a) The amount of the fee and the due date of payment shall be included on a billing statement sent to the source.

b) The initial billing statement under this Subpart shall be sent after the source's CAAPP application has been deemed or determined to be complete by the Agency.

c) Subsequent billing statements under this Subpart shall be sent by the Agency annually at least forty-five (45) days prior to:

- 1) The billing date previously assigned to the source if the source had been billed under Section 9.6 of the Act; or
- 2) The billing date that the source was assigned in the source's first billing statement pursuant to Section 39.5(18) of the Act if the source had not been billed previously under Section 9.6 of the Act.

d) The due date of payment shall be forty-five (45) days after the billing date indicated on each billing statement.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

Section 270.605 Payment Procedures

a) Fee payment shall be made by check or money order payable to "Treasurer, State of Illinois," and shall be accompanied by the billing statement that will include the source name and identification number assigned by the Bureau of Air.

b) Payment shall be mailed to:

Illinois Environmental Protection Agency  
Fiscal Services Section, Title V Fee Program  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276

c) Payment shall not include any fees, penalties or other monies due to the Agency for any purposes other than payment of the fee required under this Subpart.

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d) Fees shall be paid no later than forty-five (45) days after the billing date indicated on the billing statement.

e) An owner or operator of a source shall remain liable for payment of the fee specified in the billing statement for the source unless a written request for withdrawal of the permit for the source is submitted in writing to the Agency prior to the payment due date indicated on the billing statement.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.606 Refund and Underpayment of Fees

a) A fee remitted to the Agency under this Subpart shall not be refunded in whole or part unless the amount paid is in excess of the amount billed or the amount billed is determined to be incorrect.

b) An owner or operator of a source entitled to a refund under subsection (a) above must request such refund in writing; otherwise, the amount that was overpaid incorrectly shall be credited against future fees for which the source will be billed under this Subpart.

c) If the owner or operator of a source submits to the Agency an amount less than the amount due pursuant to Section 39.5(18) of the Act and this Subpart due to an error in the source's calculation of allowable emissions or an error in the Agency's calculation of fees, the owner or operator shall submit the difference between the amount paid and the amount due in accordance with subsections (i) or (ii) below.

i) If a source discovers that its calculation of allowable emissions was incorrect, it shall promptly submit to the Agency the correct information and the amount of underpayment.

ii) If the Agency discovers that it has incorrectly billed the source, the Agency shall promptly notify the owner or operator of the CAAPP source. The Agency must notify the owner or operator of the incorrect billing during the term of the permit. The owner or operator of the CAAPP source shall submit the amount of underpayment within 45 days of receipt of the notice.

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(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.607 Requests for Reconsideration of Fee Amount

a) Requests for reconsideration of the fee amount indicated on a source's billing statement shall be submitted in writing no later than 30 days after issuance of the billing statement.

b) Requests for reconsideration shall include all pertinent facts and arguments in support thereof. Such requests shall be addressed to:

Illinois Environmental Protection Agency  
Bureau of Air, Program and Budget Officer  
P.O. Box 19276  
Springfield, Illinois 62794-9276

c) The submittal of a written request for reconsideration of the billed fee amount shall automatically stay the due date of payment to a date thirty (30) days subsequent to final Agency action on the request for reconsideration.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.608 Agency Response to Requests for Reconsideration

The Agency shall respond in writing to requests for reconsideration of the billed fee amount within 30 days of receipt of the request. Such written response shall constitute final Agency action on the request for reconsideration.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 270.609 Appeal of Agency Response

Final Agency action on a request for reconsideration may be appealed by the owner or operator of a source pursuant to applicable Board regulations.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Hearings Pursuant to Specific Rules2) Code Citation: 35 Ill. Adm. Code 1063) Section Numbers: Proposed Action:

106.910	New Section
106.911	New Section
106.912	New Section
106.913	New Section
106.914	New Section
106.915	New Section
106.916	New Section
106.920	New Section
106.921	New Section
106.922	New Section
106.923	New Section
106.924	New Section
106.925	New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010, 1027, 1028, and 1028.5 [415 ILCS 5/10, 27, 28, and 28.5].5) A Complete Description of the Subjects and Issues Involved:  
These amendments are being proposed to provide consistency with permit reopening and maximum achievable control technology provisions of the new Clean Air Act Permit Program ("CAAPP") legislation enacted at Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1039.5, as amended by P.A. 87-1213 (1992) and as amended by P.A. 88-464 (1993), [415 ILCS 5/39.5], pursuant to Title V of the Clean Air Act as amended in 1990 (42 U.S.C. 7401, et seq.) ("CAA").6) Will this proposed rule replace an emergency rule currently in effect? Yes ☒ No ☐7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

If "yes," please specify the date: \_\_\_\_\_

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes ☒ No ☐9) Are there any other proposed amendments pending on this Part? Yes ☒ No ☐

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203(b)).11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-24 and be addressed to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Question and comments may also be directed to:

Ann M. Zwick  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

12) Initial Regulatory Flexibility Analysis: These proposed amendments are necessary to provide consistency with the CAAPP legislation enacted pursuant to the CAA. Therefore, no small businesses will be affected to a greater degree than allowed by federal law. Consequently, a Regulatory Flexibility Analysis is not applicable.

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 24, 1993
- B) Types of small businesses affected: none
- C) Reporting, bookkeeping or other procedures required for compliance: none
- D) Types of professional skills necessary for compliance: none

The full text of the Proposed Rule begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE A: GENERAL PROVISIONS  
 CHAPTER I: POLLUTION CONTROL BOARD

## PART 106

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 Requirements for Petition  
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 Public Comment (Repealed)  
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106.407 Decision (Repealed)  
 106.408 Appeal (Repealed)  
 106.410 Scope of Applicability  
 106.411 Joint or Single Petition  
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SUBPART H: REVOCATION AND REOPENING OF CLEAN AIR ACT PERMIT  
 PROGRAM (CAAPP) PERMITS

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 106.910 Applicability  
 106.911 Definitions  
 106.912 Petition  
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## SUBPART I: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY DETERMINATIONS

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 106.920 Applicability  
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## Appendix A: Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 14.2(c), 22.4, 27, 28, and 28.1, 28.5 and 39.5 and authorized by Sections 26 and 39.5 of the Environmental Protection Act (Ill. Rev. Stat. 1987/1991, ch. 111½, pars. 1005, 1014.2(c), 1022.4, 1027, 1028, 1028.1½, and 1026), (P.A. 87-1213, effective September 26, 1992, and P.A. 88-464,

## POLLUTION CONTROL BOARD

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effective August 28, 1993) [415 ILCS 5/5, 14.2(c), 22.4, 27, 28, 28.1, 28.5, 26 and 39.5].

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg. 2, page 186, effective December 27, 1979; codified at 6 Ill. Reg. 8357; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R82-1 at 12 Ill. Reg. 12484, effective July 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12094, effective July 10, 1989; amended in R88-5(B) at 14 Ill. Reg. 9442, effective June 5, 1990; amended in R93-24 at 11 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Capitalization denotes statutory language.

SUBPART H: REVOCATION AND REOPENING OF CLEAN AIR ACT PERMIT  
 PROGRAM (CAAPP) PERMITS

Section 106.910 Applicability

The provisions of this Subpart shall apply to:

a) Any revocation proceeding initiated by the Agency when it determines that there are grounds to revoke and reissue a CAAPP permit for cause, pursuant to Section 39.5(15)(b) of the Environmental Protection Act (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5(15)(b)] ("Act"); and

b) Any reopening proceeding initiated by USEPA when USEPA determines that there are grounds to terminate or revoke and reissue a CAAPP permit for cause, pursuant to Section 39.5(16) of the Act.

(Source: Added at 11 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 106.911 Definitions

The definitions of 35 Ill. Adm. Code 101.101 and Section 39.5 of the Act shall apply to this Subpart.

(Source: Added at 11 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 106.912 Petition



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

a) Agency Revocation Proceeding

- 1) A revocation proceeding shall be commenced by the Agency by its serving a petition for revocation upon the respondent and filing 10 copies with the Clerk of the Board.
- 2) The petition shall include the permit record and the grounds for the revocation of the CAAPP permit.

b) USEPA Reopening Proceeding

- 1) If the Agency receives from USEPA a notice to terminate or revoke and reissue a CAAPP permit for cause, the Agency shall, within 30 days of receipt of USEPA's notice, serve a petition upon the respondent and file 10 copies with the Clerk of the Board.
- 2) The petition shall include USEPA's objection, the permit record, the Agency's proposed determination and the justification for the proposed determination.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

Section 106.913 Response and Reply

- a) The respondent may file a response to the Agency's petition within 21 days after service of the petition.
- b) The Agency may file a reply within 21 days after filing of any response.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

Section 106.914 Notice and Hearing

- a) The Clerk shall give notice of the petition and hearing in accordance with Part 103. The proceeding shall be conducted in accordance with Part 103.
- b) In a hearing, the burden of proof shall be on the Agency.

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

Section 106.915 Opinion and Ordera) Agency Revocation Proceeding

- 1) The Board shall issue a written opinion and order within 120 days after the filing of the petition that sets forth the Board's decision and supporting rationale.
- 2) If the Board determines that the permit should be revoked and reissued, its final order shall direct the Agency to revoke and reissue the CAAPP permit consistent with Section 39.5 of the Act.

b) USEPA Reopening Proceeding

- 1) AFTER DUE CONSIDERATION OF THE WRITTEN AND ORAL STATEMENTS, THE TESTIMONY AND ARGUMENTS THAT SHALL BE SUBMITTED AT HEARING, THE BOARD SHALL ISSUE AND ENTER AN INTERIM ORDER FOR THE PROPOSED DETERMINATION WITHIN 120 days after the filing of the petition, WHICH SHALL SET FORTH ALL CHANGES, IF ANY, REQUIRED IN THE AGENCY'S PROPOSED DETERMINATION. THE INTERIM ORDER SHALL COMPLY WITH THE REQUIREMENTS FOR FINAL ORDERS AS SET FORTH IN SECTION 33 OF THE ACT. ISSUANCE OF AN INTERIM ORDER BY THE BOARD UNDER THIS subsection (b), HOWEVER, SHALL NOT AFFECT THE PERMIT STATUS AND DOES NOT CONSTITUTE A FINAL ACTION FOR PURPOSES OF THE ACT OR THE ADMINISTRATIVE REVIEW LAW. (Section 39.5(16)(b)(ii) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

- 2) THE BOARD SHALL CAUSE A COPY OF ITS INTERIM ORDER TO BE SERVED UPON ALL PARTIES TO THE PROCEEDING AS WELL AS UPON USEPA. THE AGENCY SHALL SUBMIT THE PROPOSED DETERMINATION TO USEPA IN ACCORDANCE WITH THE BOARD'S INTERIM ORDER WITHIN 180 DAYS AFTER RECEIPT OF THE NOTIFICATION FROM USEPA. (Section 39.5(16)(b)(iii) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

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Section 106.916USEPA Review of Proposed Determination

a) If USEPA does not object to the proposed determination within 90 days of receipt, THE BOARD SHALL, WITHIN 7 DAYS OF RECEIPT OF USEPA'S FINAL APPROVAL or within 7 days after expiration of the 90-day period, whichever is earlier, ENTER THE INTERIM ORDER AS A FINAL ORDER. THE FINAL ORDER MAY BE APPEALED AS PROVIDED BY TITLE XI OF THE ACT. THE AGENCY SHALL TAKE FINAL ACTION IN ACCORDANCE WITH THE BOARD'S FINAL ORDER. (Section 39.5(16)(c)(i) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

b) 1) If USEPA objects to the proposed determination within 90 days of receipt, THE AGENCY SHALL SUBMIT USEPA'S OBJECTION AND THE AGENCY'S COMMENTS AND RECOMMENDATION ON THE OBJECTION TO THE BOARD AND PERMITTEE WITHIN 15 days of receipt of USEPA's objection. (Section 39.5(16)(c)(ii) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

2) THE BOARD SHALL REVIEW ITS INTERIM ORDER IN RESPONSE TO USEPA'S OBJECTION AND THE AGENCY'S COMMENTS AND RECOMMENDATION AND ISSUE A FINAL ORDER IN ACCORDANCE WITH SECTIONS 32 AND 33 OF THE ACT within 60 days of receipt of USEPA's objection and the Agency's comments and recommendation. THE AGENCY SHALL, WITHIN 90 DAYS AFTER RECEIPT OF SUCH OBJECTION, RESPOND TO USEPA'S OBJECTION IN ACCORDANCE WITH THE BOARD'S FINAL ORDER. (Section 39.5(16)(c)(ii) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

SUBPART I: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY DETERMINATIONSSection 106.920Applicability

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

The provisions of this Subpart shall apply to any proceeding initiated by an owner or operator of a CAAPP source pursuant to Section 39.5(19)(a) or Section 39.5(19)(e) of the Environmental Protection Act (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5(19)(a), 5/39.5(19)(e)] ("Act") when the Agency has refused to include the emission limitation for a case-by-case maximum achievable control technology ("MACT") determination proposed by the owner or operator of the CAAPP source in the source's CAAPP application.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

Section 106.921Definitions

The definitions of 35 Ill. Adm. Code 101.101 and Section 39.5 of the Act shall apply to this Subpart.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

Section 106.922Petition

a) A proceeding brought under this Subpart shall be commenced by the owner or operator of a CAAPP source by serving a petition upon the Agency and filing 10 copies with the Clerk of the Board.

b) A petition filed pursuant to Sections 39.5(19)(a) and 39.5(19)(e) of the Act shall include a detailed description of and justification for the emission limitation that is being proposed for the source and an explanation of how such emission limitation provides for the level of control required under Section 112 of the Clean Air Act (42 U.S.C. 7412).

c) A petition filed pursuant to Section 39.5(19)(a) of the Act shall also request that the Board establish whether the emission limitation proposed by the owner or operator of the CAAPP source provides for the emission limitation equivalent to the emission limitation that would apply to the source if USEPA had promulgated the applicable emission standard pursuant to Section 112(d) of the Clean Air Act (42 U.S.C. 7412(d)) in a timely manner.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective  
\_\_\_\_\_.)

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\_\_\_\_\_.)

Section 106.923      Response and Reply

a) The Agency may file a response to the petition of the owner or operator within 21 days after service of the petition.

b) The owner or operator may file a reply within 21 days after the filing of any response.

(Source: Added at \_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 106.924      Notice and Hearing

a) The Clerk of the Board shall give notice of the petition and any hearing in accordance with Part 103. The proceeding shall be conducted in accordance with Part 103.

b) The burden of proof in such proceedings shall be on the petitioner.

(Source: Added at \_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 106.925      Opinion and Order

a) The Board shall issue a written opinion and order within 120 days after the filing of the petition that sets forth the Board's decision and supporting rationale.

b) The Board shall determine whether the emission limitation proposed by the owner or operator of the CAAPP source or an alternative emission limitation proposed by the Agency provides for the level of control required under Section 112 of the Clean Air Act (42 U.S.C. 7412), or shall otherwise establish an appropriate emission limitation pursuant to Section 112 of the Clean Air Act (42 U.S.C. 7412).

(Source: Added at \_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

1) Heading of Part: Permits

2) Code Citation: 35 Ill. Adm. Code 105

3) Section Numbers:      Proposed Action:  
105.102      Amend

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010, 1027, 1028, and 1028.5 [415 ILCS 5/10, 27, 28, and 28.5].

5) A Complete Description of the Subjects and Issues Involved:  
These amendments are being proposed to provide consistency with judicial review provisions of the new Clean Air Act Permit Program ("CAAPP") legislation enacted at Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1039.5, as amended by P.A. 87-1213 (1992) and as amended by P.A. 88-464 (1993), [415 ILCS 5/39.5], pursuant to Title V of the Clean Air Act as amended in 1990 (42 U.S.C. 7401, et seq.) ("CAA").

6) Will this proposed rule replace an emergency rule currently in effect?      Yes ☒ No ☒

7) Does this rulemaking contain an automatic repeal date?  
Yes ☒ No ☒

If "yes," please specify the date: \_\_\_\_\_

8) Does this proposed rule (amendment, repealer) contain incorporations by reference?      Yes ☒ No ☒

9) Are there any other proposed amendments pending on this Part?  
\_\_\_\_ Yes ☒ No ☒

10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203(b)).

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R93-24 and be addressed to:



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, IL 60601

Questions and comments may also be directed to:

Ann M. Zwick  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276

- 12) Initial Regulatory Flexibility Analysis: These proposed amendments are necessary to provide consistency with the CAAPP legislation enacted pursuant to the CAA. Therefore, no small businesses will be affected to a greater degree than allowed by federal law. Consequently, a Regulatory Flexibility Analysis is not applicable.

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 24, 1993
- B) Types of small businesses affected: none
- C) Reporting, bookkeeping or other procedures required for compliance: none
- D) Types of professional skills necessary for compliance: none

The full text of the Proposed Rule begins on the next page:

## POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE A: GENERAL PROVISIONS  
CHAPTER I: POLLUTION CONTROL BOARD

PART 105  
PERMITS

Section  
105.101 Setting Standards  
105.102 Permit Appeals  
105.103 Permit Review  
105.104 Cost of Review

Appendix: Old Rule Numbers Referenced

AUTHORITY: Authorized by Section 26 of the Environmental Protection Act (Ill. Rev. Stat. 1979/1991, ch. 111½, par. 1026) [415 ILCS 5/26] and implementing Sections 5, 39, 39.5, 40, and 40.1 and 40.2 of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1979/1991, ch. 111½, pars. 1005, 1039, 1040 and 1040.1, as amended by P.A. 82-682, P.A. 87-1213, effective September 26, 1992, and P.A. 88-464, effective August 20, 1993) [415 ILCS 5/5, 39, 39.5, 40, 40.1 and 40.2].

SOURCE: Filed with Secretary of State January 1, 1978; amended 4 Ill. Reg. 52, page 41, effective December 11, 1980; codified 6 Ill. Reg. 8357; amended in R93-24 at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_.

NOTE: Capitalization denotes statutory language.

Section 105.102 Permit Appeals

- a) Permit Appeals Other than NPDES (National Pollutant Discharge Elimination System) and CAAPP (Clean Air Act Permit Program) Permit Appeals:

- 1) If the Agency denies the permit, it shall advise the permit applicant in writing in accordance with the requirements of Section 39(a) of the Environmental Protection Act (Act).
- 2) In the case of a denial of a permit or issuance by the Agency of a permit with one or more conditions or limitations to which an applicant objects, an applicant who seeks to appeal the Agency decision shall file a petition for a hearing before the Board within 35 days

## NOTICE OF PROPOSED AMENDMENTS

of the date of mailing of the Agency's final decision. The petition shall include:

- A) Citation of the particular standards under which a permit is sought;
- B) A complete and precise description of the facility, equipment, vehicle, vessel, or aircraft for which a permit is sought, including its location;
- C) A complete description of contaminant emissions and of proposed methods for their control; and
- D) Such other materials as may be necessary to demonstrate that the activity for which the permit is sought will not cause a violation of the Act or the regulations.

- 3) The method of filing service shall be in accordance with Sections 103.122 and 103.123.

- 4) The Agency shall appear as respondent in the hearing and shall, within 14 days, upon notice of the petition, file with the Board the entire Agency record of the permit application, including:

- A) The application;
- B) Correspondence with the applicant, and
- C) The denial.

- 5) The Clerk shall give notice of the petition and hearing in accordance with Part 103.

- 6) The proceedings shall be in accordance with the rules set forth in Part 103.

b) NPDES Permit Appeals:

- 1) If the Agency denies an NPDES Permit, it shall advise the permit applicant in writing in accordance with the requirements of Section 39(a) of the Act.
- 2) In the case of the denial of an NPDES Permit or the issuance by the Agency of an NPDES Permit with one or

## NOTICE OF PROPOSED AMENDMENTS

more conditions or limitations to which the applicant objects, the applicant may contest the decision of the Agency by filing with the Clerk of the Board a petition for review of the Agency's action in accordance with this Section.

- 3) Any person other than the applicant who has been a party to or participant at an Agency hearing with respect to the issuance or denial of an NPDES permit by the Agency, or any person who requested such a hearing in accordance with applicable rules, may contest the final decision of the Agency by filing with the Clerk a petition for review of the Agency's action.

- 4) The petition shall be filed and notice issued within 30 days from the date the Agency's final decision has been mailed to the applicant and all other persons who have right of appeal. The method of filing and service shall be in accordance with Sections 103.122 and 103.123.

- 5) The Agency shall appear as respondent and shall file an answer consisting of the hearing file of any hearing which may have been held before the Agency, including any exhibits, and the following documents: NPDES Permit application, NPDES Permit denial or issuance letter, and all correspondence with the applicant concerning the application

- 6) All parties other than the petitioner who were parties to or participants at any Agency hearing shall be made respondents.

- 7) The petition shall contain a statement of the decision or part thereof to be reviewed. The Board upon motion of any respondent shall, or upon its own motion may, require of the petitioner a specification of the errors upon which the petitioner relies in his petition.

- 8) The hearings before the Board shall extend to all questions of law and fact presented by the entire record. The Agency's findings and conclusions on questions of fact shall be prima facie true and correct. If the Agency's conclusions of fact are disputed by the party or if issues of fact are raised in the review proceeding, the Board may make its own determination of fact based on the record. If any

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

party desires to introduce evidence before the Board with respect to any disputed issue of fact, the Board shall conduct a de novo hearing and receive evidence with respect to such issue of fact.

9) This proceeding shall be in accordance with Part 103.

10) The order of the Board entered pursuant to hearing may affirm or reverse the decision of the Agency, in whole or in part, may remand the proceeding to the Agency for the taking of further evidence, or may direct the issuance of the permit in such form as it deems just, based upon the law and the evidence.

## c) CAAPP Permit Appeals:

1) The definitions of 35 Ill. Adm. Code 101.101 and Section 39.5 of the Environmental Protection Act (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/39.5] ("Act") shall apply to this subsection.

2) If the Agency denies a CAAPP permit, permit modification or permit renewal, it shall provide to USEPA, the permit applicant and, upon request, affected States, any person who participated in the public comment process and any other person who could obtain judicial review under Sections 40.2 and 41 of the Act a copy of each notification of denial pertaining to the permit applicant.

3) In the case of a denial of a CAAPP permit, including a permit revision or permit renewal, or a determination of incompleteness by the Agency regarding a submitted CAAPP application, or the issuance by the Agency of a CAAPP permit with one or more conditions or limitations, or the failure of the Agency to act on an application for a CAAPP permit, permit renewal, administrative permit amendment or significant permit modification within the time frames specified in Section 39.5(5)(j) or Section 39.5(13) of the Act, as applicable, or the failure of the Agency to take final action within 90 days of receipt of an application requesting minor permit modification procedures (or 180 days for modifications subject to group processing requirements) pursuant to Section 39.5(14) of the Act, to which the applicant, any person who participated in the public comment process pursuant to Section 39.5(8)

## POLLUTION CONTROL BOARD

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of the Act, or any other person who could obtain judicial review pursuant to Section 41(a) of the Act objects, such persons may contest the decision of the Agency by filing with the Clerk of the Board a petition for review of the Agency's action in accordance with this Section.

4) For purposes of this subsection, a person who participated in the public comment process is someone who, during the public comment period, either commented on the draft permit, submitted written comments, or requested notice of the final action on a specific permit application.

5) The petition filed pursuant to subsection (c)(3) above shall be filed within 35 days of the Agency's final permit action. Notwithstanding the above, if the petition is based solely on grounds arising after the 35-day period expires, the petition may be filed within 35 days after the new grounds for review arise. If the applicant is challenging the Agency's failure to timely take final action pursuant to Section 39.5 of the Act, the petition shall be filed before the Agency takes such final action. Under no circumstances, however, may a petition challenging the final permit action on a Phase II acid rain permit be filed more than 90 days subsequent to such final permit action.

6) The petition shall include:

- A) A concise description of the CAAPP source for which the permit is sought;
- B) A statement of the Agency's decision or part thereof to be reviewed;
- C) A justification as to why the Agency's decision or part thereof was in error; and
- D) Such other materials upon which the petitioner relies in its petition.

7) The petition may include a request to stay the effectiveness of a denial of the CAAPP permit until final action is taken by the Board pursuant to Section 40.2 of the Act.



- 8) The Agency shall appear as respondent at the hearing and shall file, within 30 days after service of the petition, an answer consisting of the entire Agency record of the CAAPP application including the CAAPP permit application, the hearing record, the CAAPP permit denial or issuance letter, and correspondence with the applicant concerning the CAAPP permit application.
- 9) The Clerk shall give notice of the petition and hearing in accordance with Part 103.
- 10) The proceeding shall be conducted in accordance with Part 103.
- 11) THE AGENCY SHALL NOTIFY USEPA, IN WRITING, OF ANY PETITION BROUGHT UNDER THIS SUBSECTION INVOLVING A PROVISION OR DENIAL OF A PHASE II ACID RAIN PERMIT WITHIN 30 DAYS OF THE FILING OF THE PETITION. USEPA MAY INTERVENE AS A MATTER OF RIGHT IN ANY SUCH HEARING. THE AGENCY SHALL NOTIFY USEPA, IN WRITING, OF ANY DETERMINATION OR ORDER IN A HEARING BROUGHT UNDER THIS SUBSECTION THAT INTERPRETS, VOIDS, OR OTHERWISE RELATES TO ANY PORTION OF A PHASE II ACID RAIN PERMIT. (Section 40.2(e) of the Act as amended by P.A. 88-464, effective August 20, 1993.)

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

- 1) Heading of the Part: Water Use Designations and Site Specific Water Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 303
- 3) Section Numbers: 303.400 Proposed Action: New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013 and 1027. [415 ILCS 5/13 and 27]
- 5) A Complete Description of the Subjects and Issues Involved: A complete description is contained in the Board's Proposed Opinion of 9/23/93, in R92-17, which Opinion is available from the Clerk of the Board at address below or by telephoning 312-814-3620.
- 6) Will this proposed amendment replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives:
- This proposed rule is consistent with policy objectives set out in Title III of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2 par. 1011(b)) [415 ILCS par. 11(b), 5/11(b)]. These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203(b)) [30 ILCS 805/1 et seq.]
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

This Board will accept written public comment on this proposal for a period of 45 days after the date of this

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

publication. Comments should reference Docket R92-17 and be addressed to:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 W. Randolph Suite, Suite 11-500  
Chicago, IL 60601

Copies of comments should also be sent to:

Ronald Rothert  
Assistant District Counsel  
Agency Representative  
US Army Engr. Dist. Rock Island  
Clock Tower Bldg., PO Box 2004  
Rock Island IL 61204-2004

Richard Warrington  
Associate Counsel  
IL Environmental Protection Agency  
2200 Churchill, PO Box 19276  
Springfield IL 62794-9276

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:  
September 23, 1993
- B) Types of small businesses affected:  
None known. This rule applies only to the U.S. Department of the Army, Corps of Engineers.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance:  
Department of Army personnel may need engineering and analytical capabilities.

The full text of the Proposed Amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 303

WATER USE DESIGNATIONS AND SITE SPECIFIC  
WATER QUALITY STANDARDS

## SUBPART A: GENERAL PROVISIONS

Section  
303.100  
303.101  
303.102

Scope and Applicability  
Multiple Designations  
Rulemaking Required

## SUBPART B: NONSPECIFIC WATER USED DESIGNATIONS

Section  
303.200  
303.201  
303.202  
303.203  
303.204

Scope and Applicability  
General Use Waters  
Public and Food Processing Water Supplies  
Underground Waters  
Secondary Contact and Indigenous Aquatic Life Waters

SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE SPECIFIC  
WATER QUALITY STANDARDS

Section  
303.300  
303.301  
303.311  
303.312  
303.321  
303.322  
303.323  
303.331  
303.341  
303.351  
303.352  
303.353  
303.361  
303.400  
303.430  
303.431  
303.441  
303.442  
303.443

Scope and Applicability  
Organization  
Ohio River Temperature  
Waters Receiving Fluorspar Mine Drainage  
Wabash River Temperature  
Unnamed Tributary of the Vermillion River  
Sugar Creek and Its Unnamed Tributary  
Mississippi River North Temperature  
Mississippi River North Central Temperature  
Mississippi River South Central Temperature  
Unnamed Tributary of Wood River Creek  
Shoenberger Creek; Unnamed Tributary of Cahokia Canal  
Mississippi River South Temperature  
Bankline Disposal Along the Illinois Waterway/River  
Unnamed Tributary to Dutch Creek  
Long Point Slough and Its Unnamed Tributary  
Secondary Contact Waters  
Waters Not Designated for Public Water Supply  
Lake Michigan

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

## SUBPART D: THERMAL DISCHARGES

- Section  
 303.500 Scope and Applicability  
 303.502 Lake Sangchris Thermal Discharges  
 303.Appendix A References to Previous Rules  
 303.Appendix B Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1013 and 1027) [415 ILCS 5/13 and 27].

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989; amended in R87-36 at 14 Ill. Reg. 9460, effective May 31, 1990; amended in R86-14 at 14 Ill. Reg. 20724, effective December 18, 1990; amended in R89-14(C) at 16 Ill. Reg. 14684, effective September 10, 1992; amended in R92-17 at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART C: SPECIFIC USE DESIGNATIONS  
 AND SITE SPECIFIC WATER QUALITY STANDARDS

- Section 303.400 Bankline Disposal Along the Illinois Waterway/River

a) The U.S. Department of the Army, Corps of Engineers, may bankline dispose of sediment generated during maintenance dredging operations on the Illinois Waterway/River between river miles 80.2 and 291 if:

- 1) Less than 10% of representative samples from a proposed dredge cut are composed of fine-grained material, where a material is fine-grained if more than 20% of the sample passes a #230 sieve; or
- 2) The SSTFATE model indicates that applicable water quality standards will be met at the perimeter of a temporary area of allowed dilution having a surface area no larger than 48,000 square feet,

## POLLUTION CONTROL BOARD

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and not exceeding either 1,000 feet in length or 150 feet in width; and

- 3) The U.S. Department of the Army, Corps of Engineers, holds a Water Quality Certification for its dredging operations from the Illinois Environmental Protection Agency pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. §1341 (1988).
- b) When the provisions of subsection a) are met, Section 35 Ill. Adm. Code 304.105 (prohibition against causing a violation of any applicable water quality standard), shall not apply to bankline disposal by the U.S. Department of the Army, Corps of Engineers, but only as 35 Ill. Adm. Code 304.105 pertains to the offensive conditions standard of 35 Ill. Adm. Code 302.203, the dissolved oxygen standard of 35 Ill. Adm. Code 302.206, the total lead and total zinc standards of 35 Ill. Adm. Code 302.208, and the ammonia nitrogen and un-ionized ammonia nitrogen standards of 35 Ill. Adm. Code 302.212.

(Source: Added at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Real Estate Appraiser Certification
- 2) Code Citation: 68 Ill. Adm. Code 1455
- 3) Section Numbers:

1455.15	<u>Proposed Action:</u>
1455.30	Amendment
1455.200	Amendment
1455.205	New Section
1455.210	Amendment
1455.300	Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 5836.5, 5836.12 and 5836.17 [225 ILCS 455/36.5, 12 and 17].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements Section 36.17 of the Real Estate License Act of 1983 which requires real estate appraisers to obtain 20 hours of continuing education (CE) before renewing their two-year licenses or certificates. Changes also are proposed for two Sections where problems have occurred since rules for appraisers were first adopted on September 30, 1992.

Section 1455.15 is amended to give a complete address for the Appraisal Standards Board of the Appraisal Foundation which promulgates the Uniform Standards of Professional Appraisal Practice (USPAP). These standards already are incorporated by reference into the Real Estate Appraiser Certification rules for Illinois. It is the intent of the Real Estate Appraisal Committee and the Department to require license/certificate applicants to meet USPAP standards in effect at the time of application.

Section 1455.30 is amended to clarify how hours that have been approved in excess of requirements for various curricula will be credited as electives.

Section 1455.200 establishes that beginning December 31, 1993, instructors for courses in the IL IV and IL V curricula shall be Certified General Real Estate Appraisers or full time faculty members of a College or University who are accredited by the American Assembly of Collegiate Schools of Business (AACSB). Also beginning December 31, 1993, instructors for courses in the IL I, IL II and IL III curricula shall be Certified Residential or Certified General Real Estate Appraisers or full time faculty members of a College or University who are accredited by the AACSB. For continuing education courses and courses in the IL E curriculum, instructors shall be Certified Residential or General Real Estate Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

## NOTICE OF PROPOSED AMENDMENTS

Section 1455.200 amendments also allow licensed appraisal education providers to utilize sub-organizations (such as chapters, branch schools and associations) as continuing education sub-providers. Requirements for appraisal education sub-providers are specified in this Section, which also provides that the license of the parent organization may not be jeopardized or disciplined by the actions of the sub-provider.

Section 1455.205 is added to detail how appraisers may obtain the required 20 hours of continuing education during a 2-year pre-renewal period, as required by the Act. A pre-renewal period is defined as the 24 months preceding September 30 in the year of the renewal, except for the first pre-renewal period which shall be June 1, 1993, through September 30, 1995. An applicant for renewal is not required to meet continuing education requirements for a license or certification issued less than 24 months prior to its expiration. The proposed rules provide for the Department to conduct random audits of continuing education certifications submitted by appraiser applicants. When audited, the applicant shall submit documentation of attendance at continuing education courses such as certification letters, transcripts and Uniform Request for Continuing Education Credit forms from the course provider or sub-provider.

The fee Section of the rules for education providers and courses is amended to provide for renewal of licenses that have expired. The fee to renew an appraiser education provider license that has expired for less than 60 days shall be \$500 plus a penalty of \$100. An appraiser education provider's license that has expired for more than 60 days may not be renewed but the provider may reapply for licensure in accordance with Section 1455.200. The application fee for continuing education course approval shall be \$300 and each course must be re-evaluated prior to its expiration date, which is March 31 of even numbered years. The fee for evaluation of revisions to approved courses shall be \$200 for pre-license/certification courses and \$75 for continuing education courses.

The renewals Section is amended to provide for a penalty fee of \$20 for renewal of an expired license or certification. The need to comply with the new continuing education requirements and the time frames for completing continuing education to renew expired licenses are also covered in this Section. Approved pre-license/certification courses will expire 36 months from the date of issue and may be renewed by reapplication and payment of fees. Approved appraisal continuing education courses will expire on March 31 of even numbered years and may be renewed by reapplication and payment of fees.

Numerous style and form changes also were made.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED AMENDMENTS

- 8) Do these proposed amendments contain incorporations by reference? Yes, Section 1455.15, pertaining to incorporation of the Uniform Standards of Professional Appraisal Practice, is being amended.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation  
Attention: Jean A. Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

## 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Real Estate Appraisers and appraisal education providers.
- B) Reporting, bookkeeping or other procedures required for compliance:

Within 21 days of completion of each continuing education course presentation, the sub-provider shall certify to the Department, Office of the Appraisal Administrator, a roster of all duly registered students, on forms provided by the Department. Also, when a student or the Department makes a request, an education provider has 21 days to provide a certification of completion, transcript or other document verifying hours of attendance and successful course completion.

At the request of the Appraisal Administrator, a course provider shall provide a list of all courses that the provider is planning to offer within a 6 month period subsequent to the request. Upon notification of any course audit, the provider shall provide the Department representative, at no cost, any and all course materials used in the presentation of the course being audited.

## DEPARTMENT OF PROFESSIONAL REGULATION

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With application for renewal of any appraiser license/certification, the applicant shall certify, on forms supplied by the Department, full compliance with continuing education requirements. When audited, the applicant shall submit documentation of attendance at continuing education courses within 30 days of the Department's request.

- C) Types of professional skills necessary for compliance: Real Estate appraiser skills are necessary for licensure/certification.

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICED OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

## PART 1455

## REAL ESTATE APPRAISER CERTIFICATION

## SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

## Section

- 1455.10 Definitions  
 1455.15 Uniform Standards of Professional Appraisal Practice  
 1455.20 Education and Experience Requirements for State Licensed Real Estate Appraiser  
 1455.30 Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser  
 1455.40 Application as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser  
 1455.50 Examination  
 1455.60 Nonresident Licensure/Certification  
 1455.70 Nonresident/Temporary Practice

## SUBPART B: EDUCATION PROVIDERS

## Section

- 1455.200 Approval of Education Providers/Courses  
 1455.205 Appraiser Continuing Education (CE)  
 1455.210 Fees - Education Providers/Courses

## SUBPART C: GENERAL

## Section

- 1455.300 Renewals  
 1455.310 Granting Variances

AUTHORITY: Implementing Article 2 of the Real Estate License Act of 1983 (Ill. Rev. Stat. 1991, ch. 111, par. 5836.01 through .25; see Public Act 87-1193, effective September 24, 1992) [225 ILCS 455/36 and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7))] [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at \_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## DEPARTMENT OF PROFESSIONAL REGULATION

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## SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

## Section 1455.15 Uniform Standards of Professional Appraisal Practice

- a) The Uniform Standards of Professional Appraisal Practice (USPAP) promulgated by the Appraisal Standards Board of the Appraisal Foundation, 1029 Vermont Avenue, N.W., Suite 900, Washington, D.C. 20005-3517 1992, are hereby incorporated by reference.

- b) Real Estate Appraisers licensed/certified under the Act shall practice in accordance with USPAP standards.

- c) A copy of this publication is available at cost from the Real Estate Appraisal Administrator's office, Department of Professional Regulation, located at 320 West Washington, Springfield, Illinois 62786.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 1455.30 Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser

An applicant for certification as a Certified Residential or Certified General Real Estate Appraiser shall meet the following education and experience requirements:

- a) Education. A total of 105 hours for Certified Residential Real Estate Appraiser and 165 hours for Certified General Real Estate Appraiser are required. The courses must be real estate appraisal courses recommended by the Committee and approved by the Department. For Certified Residential, a specific hour requirement is mandatory in each of 4 curricula. For Certified General, a specific hour requirement is mandatory in each of 5 curricula.

- 1) Courses approved for Certified Residential Appraiser will be assigned to an IL curriculum as set forth in Section 1455.200(b), and classroom hours must be achieved as follows:

- A) Standards of Professional Appraisal Practice--15 hours (IL I).  
 B) Basic Principles of Appraisal--30 hours (IL II).  
 C) Valuation Procedures for Residential Property--30 hours (IL III).  
 D) Elective Courses--30 hours (IL E).



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- i) Hours that have been approved in excess of the curriculum requirement, for courses ~~approved~~ in curricula IL I, IL II and IL III, will be credited as electives; however, repetitious coursework in the same curriculum will not be credited.
  - ii) Coursework in the IL IV and IL V curricula will be credited as electives; however, repetitious coursework in the same curriculum will not be credited.
- 2) Courses approved for Certified General Appraiser will be assigned to an IL curriculum as set forth in Section 1455.200(b), and classroom hours must be achieved as follows:
- A) Standards of Professional Practice--15 hours (IL I).
  - B) Basic Principles of Appraisal--30 hours (IL II).
  - C) Valuation Procedures for Nonresidential Property--30 hours (IL IV).
  - D) Income Approach, Capitalization--30 hours (IL V).
  - E) Elective Courses--60 hours (IL E).
- i) {Hours that have been approved in excess of the requirement, for courses ~~approved~~ in curricula IL I, IL II, ~~IL III~~, IL IV and IL V, will be credited as electives; however, repetitious coursework in the same curriculum will not be credited.
- ii) Coursework in the IL III curriculum will be credited as electives; however, repetitious coursework in the same curriculum will not be credited.
- 3) Courses completed prior to January 1, 1993.
- A) Courses shall be accepted by the Department, upon review and approval of the Committee prior to January 1, 1993, if they are substantially equivalent to the curricula in Section 1455.200. In determining substantial equivalence, the Committee shall compare the content of each course submitted to the topic requirements as set forth in Section 1455.200.
  - B) The Director shall approve real estate appraisal courses, upon recommendation by the Committee, with or without a final examination and whether or not the provider was approved by the Department.

## DEPARTMENT OF PROFESSIONAL REGULATION

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- C) Education credit may be earned by an applicant who successfully completes the examination(s) for approved course(s) set forth in subsection (a) above even though the applicant did not participate in the classroom portion of the instruction.
- 4) All courses completed after January 1, 1993, shall be from courses and course providers ~~approved~~ licensed by the Department in accordance with Section 1455.200. Credit will be earned only after course attendance and successful completion of an examination.
- 5) Education credit may be earned by teaching courses approved by the Department. To obtain education credit for teaching, the applicant shall provide verification from the education provider of the time period of employment and the course name.
- A) One hour of education credit for every one hour of classroom instruction shall be awarded.
  - B) Education credit for teaching shall be awarded for only one presentation from each curriculum IL I, IL II, IL III, IL IV and IL V; however, credit will be given for presentation of two 15 hour courses in curriculum IL II, IL III, IL IV and IL V. (Credit shall not be allowed for repetitious presentations).
  - C) Education credit for teaching shall be awarded for one presentation of each different course in IL E curriculum.
- b) Experience. Two years of appraisal experience is required for an applicant to be eligible to sit for the examination. Experience shall be earned in the following manner:
- 1) One year is defined as 1,000 hours and 12 months (2 years equal 2,000 hours and 24 months). A maximum of 1,000 hours of credit may be earned by the applicant in any calendar year; however, a minimum of 24 months of experience is required.
  - 2) The 2,000 hour experience requirement may be awarded from approved experience which shall include fee appraisal, staff appraisal, mass appraisal, ad valorem tax appraisal, mass ad valorem appraisal, review appraisal or appraisal analysis, highest and best use analysis, feasibility analysis or study, real estate sales and brokerage, real estate counseling, real property management, teaching of Department approved appraisal courses and authorship pertaining to real estate appraisal or related subjects.

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICED OF PROPOSED AMENDMENTS

- 3) For Certified Residential, a minimum of 50% of the requirement must be experience relating to residential property. For Certified General, a minimum of 50% of the requirement must be experience relating to nonresidential property. Hours shall be awarded for various types of appraisal and other experience as follows:

- A) 20 hours for apartment property with 5-24 units.
- B) 40 hours for apartment property with more than 24 units.
- C) 20 hours for vacant land zoned for business, commercial, industrial; planned unit development, multiple family, single family which will accommodate more than one unit; and agriculture.
- D) 20 hours for industrial property with buildings up to and including 25,000 square feet.
- E) 40 hours for industrial property with buildings over 25,000 square feet.
- F) 20 hours for office space up to and including 10,000 square feet.
- G) 40 hours for office space over 10,000 square feet.
- H) 20 hours for retail space up to and including 10,000 square feet.
- I) 40 hours for retail space over 10,000 square feet.
- J) 40 hours for specialized or special use property appraisals.
- K) 40 hours for operating or specialized agriculture property.
- L) 10 hours for single family residential property.
- M) 15 hours for 2, 3 and 4 unit residential property.
- N) 5 hours for vacant residential land.

- O) Additional hours may be credited for appraisals. Experience hours listed in A through N are considered typical. If an applicant feels more hours should be awarded for an appraisal, he/she must list the hours requested and attach a written justification to the appraisal log. The Department will consider the additional hours based upon the applicant justification statement and may request a photocopy of the appraisal(s) to assist in the decision. Experience credit will be awarded on time spent in the development of the appraisal and preparation of the report. Travel time will not be considered.

## DEPARTMENT OF PROFESSIONAL REGULATION

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- P) Teaching Experience. Credit for teaching of Department approved appraisal courses shall not exceed 400 hours.
- i) To obtain credit for teaching experience, the applicant shall provide verification from the education provider of the time period of such employment and the course name.
  - ii) Two hours of experience credit for every hour in the classroom shall be awarded (up to 400 hours) upon approval of the experience by the Committee.
  - iii) Education credit for teaching shall be awarded for only one presentation from each curriculum IL I, IL II, IL III, IL IV and IL V; however, credit will be given for presentation of two 15 hour courses in curriculum IL II, IL III, IL IV and IL V. (Credit shall not be allowed for repetitious presentations).
  - iv) Education credit for teaching shall be awarded for one presentation of each different course in IL E curriculum.
  - v) An applicant may not earn both education and experience credit for teaching the same course.
- Q) Authorship. Credit for authorship of appraisal or appraisal related material shall not exceed 200 hours. The applicant shall submit to the Department at the time of application, a copy of the article, textbook or other published material and a statement indicating the amount of time spent in preparing these materials. The Department will evaluate the material and may award experience credit based upon its judgment as to the contribution of skill or knowledge to the applicant or appraisal industry.
- R) Real Estate Sales and Brokerage experience shall be accepted if the experience is directly related to performing or reviewing appraisals in accordance with Section 1455.30(b)(3) through (6) and Section 1455.40(a)(2).
- S) Real Estate Counseling experience shall be accepted if it meets USPAP Standards 4 and 5. The experience will be awarded in accordance with Section 1455.30(b)(3) through (6) and Section 1455.40(a)(2).
- T) Real Property Management experience shall be accepted if the experience is directly related to performing or reviewing appraisals in accordance with Section 1455.30(b)(3) through (6) and Section 1455.40(a)(2).



U) Experience for mass appraisal, ad valorem tax appraisal and mass ad valorem appraisal shall be documented by the applicant's affidavit detailing the experience credit being requested; shall be certified by the assessment official in accordance with Section 36.11(b), Article 2, of the Act; and reported to the Department in accordance with Section 1455.40(a)(2)(B).

- 4) Field and review appraisals conducted prior to January 1, 1992, shall:
- A) Identify and describe the real estate being appraised;
  - B) Contain an indication of highest and best use (analysis);
  - C) Identify the real property interests being appraised;
  - D) Contain a definition of the value being estimated;
  - E) Set forth the effective date of the value estimate and the date of the appraisal report;
  - F) Set forth all assumptions and limiting conditions that affect the analyses, opinions and conclusions;
  - G) Set forth (in the report or file memorandum) the appraisal procedures followed and the reasoning that supports the analysis, opinions and conclusions;
  - H) Include the signature of the individual responsible for the analysis, opinions and conclusions contained in the report. The applicant seeking experience credit shall have signed the report or shall be listed in the report as an individual who provided a significant contribution. An affidavit of significant contribution shall be considered by the Department if it is signed by the appraiser who signed the report or by an official of the organization, government, firm or other entity who was responsible for causing the appraisal to be prepared.
- 5) Mass appraisal projects completed prior to January 1, 1992, shall have been performed by application of mass appraisal methods and techniques deemed professionally appropriate at the time the project was undertaken. In evaluating the mass appraisal experience, the Department will consider methods and techniques employed relative to Standard 6 of USPAP and the participation in the mass appraisal project by the applicant.
- 6) Appraisals of all types prepared after January 1, 1992, must conform to

the standards set forth in USPAP that were in effect on the date the appraisal was signed.  
(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART B: EDUCATION PROVIDERS

Section 1455.200 Approval of Education Providers/Courses

- a) An entity seeking approval as an appraisal education provider shall submit an application, on forms provided by the Department, and shall meet the following minimum criteria:
- 1) The provider shall:
    - A) Maintain a fixed office that is adequate for the maintenance of all records, office equipment, files, telephone equipment and office space necessary for customer service;
    - B) Offer a minimum of one curriculum that conforms to the standards of subsections ~~(b), (c)~~ and ~~(d)~~ of this Section;
    - C) Administer a mandatory final examination for each pre-license course offering;
    - D) Provide each student within 21 days of completion of each course (or within 21 days of a request by a student or the Department), a certification of completion, transcript or other document verifying hours of attendance, successful course completion and identifying the course by name and number, if any. In addition, such certificate, transcript or other document shall indicate the provider's address and telephone number, the location and date of the course, and include an authorized signature of the course provider's representative. Documentation for CE courses may be in the form of a Uniform Request for Continuing Education, which is a form supplied by national appraisal organizations;
    - E) Submit the fee(s) set forth in Section 1455.210;
    - F) ~~The premises, equipment and facilities of the course site shall comply with all applicable fire, building, zoning, health, safety and accessibility codes and standards pertaining to the premises, equipment and facilities of the course site;~~
    - G) ~~Approved course providers shall not advertise as being endorsed, recommended or accredited by the Department. Course providers may indicate that the provider and course of study has been approved by the Department;~~



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~~14) G) The course provider shall provide~~ Provide the student with information which specifies the course of study to be offered; the tuition to be charged; the school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship; any additional fee to be charged for supplies, materials or books which become the property of the student upon payment; and such other matters as are material to the relationship between the school and the student (e.g., cost of retaking a course, current status of licensure, any disciplinary action taken by the Department, attendance requirements); and

~~15) H) Each course provider shall maintain~~ Maintain for each student a record which shall include the course of instruction undertaken, dates of attendance, and areas of study completed satisfactorily. Each student's record shall be maintained by the school for a period of at least 5-7 years and shall be available for inspection by the student or by the Department or its designee during regular business hours.

~~24) I) The approved provider should employ~~ Employ competent instructors who are Certified Residential/General Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

i) Beginning December 31, 1993, instructors for courses in the IL IV and IL V curricula shall be Certified General Real Estate Appraisers or full time faculty members of a College or University who are accredited by the American Assembly of Collegiate Schools of Business (AACSB).

ii) Beginning December 31, 1993, instructors for courses in the IL I, IL II and IL III curricula shall be Certified Residential or Certified General Real Estate Appraisers or full time faculty members of a College or University who are accredited by the American Assembly of Collegiate Schools of Business (AACSB).

iii) For CE courses and courses in the IL E curriculum, instructors should be Certified Residential or General Real Estate Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

2) Approved course providers shall not advertise as being endorsed, recommended or accredited by the Department. Course providers may indicate that the provider and course of study has been approved by the Department.

3) Colleges and Universities

A) Colleges and universities which apply as appraisal education providers under subsection (a)(1) above shall be accredited by the regional accrediting body and offer either or both an associate's and baccalaureate degree program.

B) Colleges and universities will not be required to pay the application fees required by Section 1455.210.

C) ~~The approved provider should employ~~ employ instructors who are Certified Residential/General Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

b) Appraisal Education Sub-Providers

1) Sub-organizations (such as chapters, branch schools and local associations) may seek CE course approval (licensure) under the appraisal education provider's license of the parent organization. Such sub-providers may not seek approval for pre-license appraisal courses. Sub-providers may offer pre-license courses as a co-sponsor with the parent provider.

2) Sub-organizations need not apply to the Department to become an approved CE course provider but may seek course approval under the providership of the parent organization.

A) A sub-provider need not comply with (A), (C), (D) or (H) of subsection (a)(1) of this Section.

B) The license of the parent organization may not be jeopardized or disciplined by the actions of the sub-provider.

3) The appraisal education sub-provider, on each application for CE course approval, must certify:

A) The sub-organization has reviewed the CE course and approves the course content.

B) The parent organization is an authorized affiliate of the parent organization.

C) The parent organization has given the sub-organization permission to seek course approval (licensure) under the umbrella of the parent organization's provider's license; or, that the parent organization will recognize the course for CE credit within its own CE program.

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- 4) Each CE course sub-provider shall issue to each registered student a certificate of attendance that shall indicate the student's name, social security number or appraiser license/certification number, the date(s) and location of the course, the signature of an authorized representative of the sub-provider and a statement that the student did or did not attend a minimum of 90% of the course. A certificate of attendance may be in the form of a course attendance diploma, a certification letter, an official transcript or a "Uniform Request for Continuing Education Credit".
- 5) Within twenty-one (21) days of completion of each CE course presentation, the sub-provider shall certify to the Department, Office of the Appraisal Administrator, a roster of all duly registered students. The certification shall be on forms provided by the Department and shall include:
- The CE course license number;
  - The license number of the parent provider;
  - The date(s) and location of the CE presentation;
  - The name of the instructor(s);
  - A listing of students by full name, appraiser license/certification number (or social security number) and an indication that the student did or did not attend a minimum of 90% of the course (the names shall be listed in alphabetical order); and
  - The authorized signature of a representative of the sub-organization.

## b) c) Required Pre-Licensed/Certification Course Curriculum

- 1) Standards of Professional Appraisal Practice--15 hours (IL D). This course curriculum reviews USPAP adopted by the Appraisal Subcommittee. Topics are:

- Ethics Provision - USPAP
- Competency Provision - USPAP
- Departure Provision - USPAP
- Standard 1 - USPAP
- Standard 2 - USPAP
- Standard 3 - USPAP
- Standard 4 - USPAP
- Standard 5 - USPAP
- Standard 6 - USPAP

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- 2) Basic Principles of Appraisal--30 hours (IL II). This course curriculum shall include an overview of the appraisal process covering the principles of market and valuation analysis necessary for appraising real property and an introduction to appraisal theory, concepts, techniques and the level of competence required to perform professional appraisal analyses. Topics are:
- Influences on Real Estate
  - Real Estate/Real Property/Personal Property
  - Real Estate Ownership
  - Legal Descriptions
  - Types of Value
  - Economic Principles
  - Real Estate Markets and Market Analysis
  - Money and Capital Markets
  - Real Estate Financing
  - Valuation Process
  - Neighborhood Data and Analysis
  - Site Data and Analysis
  - Improvement Data and Analysis
  - Basic Construction and Design
  - Highest and Best Use Analysis
  - Sources of Valuation Data
  - Accumulation of Valuation Data
  - Overview of the Three Approaches to Value
  - Reconciliation and Final Value Estimate
  - Overview of the Appraisal Report
- 3) Residential Valuation Procedures/Single Family Appraisal--30 hours (IL III). This course curriculum shall be designed to provide an understanding and working knowledge of the procedures and techniques required to estimate the market value of residential properties. Emphasis should be placed on the extraction of data and the correct application of the three approaches to real estate valuation. Topics are:
- Basic Statistics
  - Residential Site Valuation - Sales Comparison
  - Residential Site Valuation - Allocation
  - Residential Site Valuation - Extraction
  - Cost Approach - Cost New Estimates
  - Cost Approach - Entrepreneurial Profit
  - Cost Approach - Types of Depreciation
  - Cost Approach - Depreciation - Age-Life Method
  - Cost Approach - Depreciation - Market Extraction Method
  - Cost Approach - Depreciation - Breakdown Method
  - Cost Approach - Application
  - Sales Comparison Approach - Units of Comparison



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- M) Sales Comparison Approach - Elements of Comparison
- N) Sales Comparison Approach - Cash Equivalency
- O) Sales Comparison Approach - Making Adjustments
- P) Sales Comparison Approach - Application
- Q) Income Capitalization Approach - Gross Rent Estimates
- R) Income Capitalization Approach - Gross Rent Multiplier
- S) Income Capitalization Approach - Application
- T) Residential Appraisal Reports

- 4) Valuation Procedures, Nonresidential Properties--30 hours (IL IV). This course curriculum focuses on the appraisal of nonresidential properties and provides a practical solution for estimating value by an in-depth study of appraisal theory and the development of advanced valuation skills. Topics are:

- A) Basic Statistics
- B) Site Valuation - Sales Comparison
- C) Site Valuation - Allocation/Extraction
- D) Site Valuation - Subdivision Analysis/Other Methods
- E) Cost Approach - Cost New Estimates
- F) Cost Approach - Entrepreneurial Profit
- G) Cost Approach - Types of Depreciation
- H) Cost Approach - Depreciation - Age-Life Method
- I) Cost Approach - Depreciation - Market Extraction Method
- J) Cost Approach - Depreciation - Breakdown Method
- K) Cost Approach - Application
- L) Sales Comparison Approach - Units of Comparison
- M) Sales Comparison Approach - Elements of Comparison
- N) Sales Comparison Approach - Cash Equivalency
- O) Sales Comparison Approach - Making Adjustments
- P) Sales Comparison Approach - Application
- Q) Income Approach - Income Estimates
- R) Income Approach - Expense Estimates
- S) Income Approach - Capitalization Rates
- T) Income Approach - Direct Capitalization
- U) Income Approach - Income Multipliers
- V) Income Approach - Application
- W) Appraisal Reports

- 5) Income Capitalization--30 hours (IL V). Courses in this curriculum are to provide alternative methods of estimating present value based on income forecasts. These courses focus on more advanced capitalization methods and techniques. Topics include:

- A) Six Functions of \$1
- B) Gross Income Estimates
- C) Vacancy and Collection Loss
- D) Operating Expense Estimates

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- E) Reserves for Replacement
- F) Operating Statement Ratios and Multipliers
- G) Debt Service/Equity Dividend
- H) Direct Capitalization
- I) Overall Rate Development - Market Extraction
- J) Overall Rate Development - Band of Investment
- K) Overall Rate Development - Ratios/Multipliers
- L) Overall Rate Development - Residual Techniques
- M) Equity Dividend Rate
- N) Debt Coverage Ratio
- O) Cash Flow Estimates
- P) Reversion Estimates
- Q) Discount and Yield Rates
- R) Yield Capitalization Overview
- S) Discounted Cash Flow Analysis Overview
- T) Lease Provisions, Analysis and Valuation
- U) Lease Analysis
- V) Partial Interest Valuation

- 6) Courses in the IL E curriculum (electives) are courses with topics that are considered more advanced; and/or cover appraisal topics not covered in the core course curricula. Credit for elective hours can be achieved by successful completion of courses approved in the IL E curriculum or by successful completion of courses with excess hours approved and allocated for elective credit in accordance with subsection (9) of this Section.

- 7) Each pre-license/certification course shall be a minimum of 15 credit hours.

- 8) All pre-license/certification courses shall include a final examination.

- A) Each final exam for curricula IL II, IL III, IL IV, IL V and IL E (elective) courses shall consist of a minimum of 50 questions; however, courses approved for 15 hours credit may have a final examination with 25 questions. ~~-(25 questions per each 15 hours of instruction).~~

- B) The final exam for IL I ~~category~~ courses shall consist of a minimum of 25 questions.

- C) The applicant shall pass the examination in order to obtain credit for a course. A passing score shall be a minimum of 70% of examination questions answered correctly.



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- 9) If 80% of the required topics for IL II through IL V courses are presented, the course shall be approved for the minimum required hours. Two 15 hour courses from a single provider may be approved to meet a 30 hour curriculum requirement, provided the courses together cover a minimum of 80% of the required curriculum topics. An application for one 15 hour course in a curriculum requiring 30 hours will be denied. ~~If 40% of the required topics are presented, the course shall be approved for 1/2 the minimum hours.~~ For courses in the IL I curriculum 100% of the listed topics must be covered. IL E courses will be approved based upon the Committee's judgment as to the value of topics to be presented and their relationship to the appraisal process.

A) Classroom hours in excess of the curriculum requirement may be approved for elective credit. Such approval is limited to 9 excess hours for courses in a 30 hour curriculum requirement and 5 excess hours for courses in a 15 hour curriculum requirement.

B) Excess hours may be approved, within the above limits based upon the Committee's evaluation of the appraisal educational value of the excess hours.

- 10) All changes in course content shall be submitted to the Department for review and evaluation.

11) The license for all pre-license/certification ~~AI~~ courses ~~offered by an approved provider~~ shall expire 36 months from the date of issue. An approved provider may renew the course approval by filing a new application in accordance with the provisions of this Section. ~~be submitted to the Department for reevaluation every 3 years (from date of original approval), along with the \$500 per course approval fee set forth in Section 1455.210(c).~~ The new application should be filed 60 days prior to the expiration of the license.

d) CE Course Requirement

- 1) Courses licensed by the Department for pre-license/certification appraiser education are approved for CE credit. The renewal applicant will be awarded credit for attendance at these courses provided the license for the course was valid and in good standing at the time of attendance; and provided the course is not repetitious as indicated by Section 1455.205. CE credit will be awarded as 15 hours for 15 hour courses and 20 hours for 30 (or more) hour courses.

- 2) CE courses shall be approved by the Appraisal Administrator, upon the recommendation of the Committee, for courses with or without a final examination.

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- 3) The application for each course approval shall include a description of the course, a course (or instructor's) outline that shall list the time frame for topic presentation, the number of classroom instruction hours excluding examination, the time allotted for examination (if any), the specific course name as it will appear on transcripts or course certifications, a sample of the certificate, the transcript or other documentation that will be used to document the student's attendance and any other information that may be required by the Department.

A) The Appraisal Committee may request submission of texts and all other course materials for their evaluation.

B) The application for CE courses being offered by a sub-provider shall also include a certification in accordance with subsection (b)(3) of this Section.

- 4) The Committee/Administrator shall approve courses that would contribute to the integrity, extension and enhancement of professional skills and knowledge in the practice of Real Estate Appraisal. Courses submitted for approval should be designed to cover at least one of the following topics:

- A) Ad Valorem Taxation
- B) Arbitration
- C) Business Courses (related to practice of real estate appraisal)
- D) Construction Cost Estimating
- E) Ethics and Standards of Professional Practice
- F) Illinois Appraiser Licensing Laws and/or Rules
- G) Land Use, Planning, and Zoning
- H) Property Development
- I) Real Estate Appraisal (valuation/evaluation)
- J) Real Estate Management, Leasing, Brokerage, Timeshare
- K) Real Estate Law
- L) Real Estate Litigation
- M) Real Estate Finance or Investment
- N) Appraisal Computer Applications
- O) Real Estate Securities and Syndications
- P) Real Property Exchange
- Q Other topics deemed appropriate by the Committee/Administrator.

- 5) The Committee/Administrator shall not approve:

- A) Motivation courses or seminars
- B) Courses that focus instruction to increase appraiser income
- C) Courses or seminars that focus on the recruitment of employees of clients

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- D) Courses or seminars with instructional material relative to associations
- E) Courses or seminars with instructional material relative to passing the State's appraiser examination
- F) Having less than three classroom hours of instruction exclusive of examination (if any)
- G) A course for more than 20 hours CE credit.

6) Subsequent to approval of any CE course, revisions in course content and/or course material shall be submitted for re-evaluation and re-approval. Failure to report course changes may result in revocation of the CE course license. The fee for re-approval shall be in accordance with Section 1455.210.

7) Approval (license) for CE courses shall expire on December 31 of even numbered years. The provider or sub-provider may renew the approval (license) by filing a new application in accordance with the provisions of this Section.

e) Audits and Inspections. The Department may conduct on site inspections of the course provider's (or sub-provider's) place of business and may audit any session of any course approved for pre-license or CE credit.

1) At the request of the Appraisal Administrator, a course provider shall provide a list of all courses that the provider is planning to offer within a 6 month period subsequent to the request. The list shall include the name and license number of each course, as well as the date, time and location of each presentation.

2) Upon notification of any course audit, the provider shall provide the Department representative, at no cost, any and all course materials used in the presentation of the course being audited.

3) The Appraisal Administrator, a member of Administrator's staff or an Appraisal committee member may inspect the business office of any course provider (or sub-provider) during normal business hours.

e) f) Withdrawal of Approval

1) The Department, upon recommendation of the Real Estate Appraisal Committee, shall withdraw, suspend or place on probation in accordance with 68 Ill. Adm. Code 1110 the approval of the real estate appraiser education provider when the quality of the program fails to continue to meet the established criteria of an approved provider as set

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out in this Section or upon determination that the decision to approve the program was based upon false or deceptive information.

- 2) Approval will terminate immediately upon failure to renew. The provider may thereafter reapply for approval as an education provider. The provider's license will terminate immediately upon the failure to renew. Course licenses will terminate upon the expiration date or immediately upon the termination of the provider's license. The provider may thereafter reapply for approval as an appraiser education provider and for course approval.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1455.205 Appraiser Continuing Education (CE)

a) State Licensed, Certified Residential or Certified General Real Estate Appraisers shall obtain, during the pre-renewal period, a minimum of 20 hours of continuing education (CE) by attending Department licensed CE appraiser courses or Department approved pre-licensing appraiser courses.

- 1) Only one-time credit will be awarded for repetitious course work (i.e., credit will be given only once for a course attended more than once during the same pre-renewal period).

A) A minimum of 7 hours of the 60 hour requirement over 3 pre-renewal periods must be in courses with instruction pertaining to USPAP.

B) A pre-renewal period is the 24 months preceding September 30 in the year of the renewal; except for the first pre-renewal period which shall be June 1, 1993, through September 30, 1995.

C) CE credit will be awarded to appraisers attending an examination course, even though the appraiser did not participate in the examination or did not successfully complete the examination.

- 2) An applicant for renewal is not required to meet CE requirements for a license or certification issued less than 24 months prior to its expiration.

3) Real estate appraisers licensed or certified in Illinois but residing in another state or jurisdiction shall comply with the CE requirements set forth in this Section.

4) In lieu of meeting the CE requirement by attending Department approved courses, all or any part of the CE requirement may be satisfied by:



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A) Teaching courses approved by the Committee/Department for CE credit. The instructor will be awarded CE credit for the number of hours for which the course is approved for CE.

i) CE credit will be awarded only once for attendance, teaching or development of a course. Credit is only applicable to the renewal following the pre-renewal period in which the course was attended or taught.

ii) Upon audit, the renewal applicant must provide course documentation from the course provider indicating the course name, Illinois license number, dates and location that the applicant served as an instructor.

B) Participating in the development of a course(s) approved by the Committee/Department for CE credit.

i) CE credit will be awarded only once for attendance, teaching or development of a course. Credit is only applicable to the renewal following the pre-renewal period in which the course was attended or developed.

ii) Upon audit an applicant shall provide proof of participation in the development of a course. Proof shall be in the form of certification from the course provider as to the course name and the degree of the applicant's participation in development.

b) Certification of Compliance with CE Requirements

1) With application for renewal (of any appraiser license/certification, issued 24 months or more prior to its expiration) the applicant shall certify full compliance with the CE requirements set forth in subsection (a) of this Section. The certification shall be on forms provided by the Department that will include spaces for listing course names, the dates of attendance, the classroom hours, the provider's name and the Illinois CE course license number. In addition, the certification shall contain a statement that the renewal applicant was in attendance for a minimum of 90% of the course and that he/she understands discipline consequences of providing false CE information. The renewal application may require other information to be provided by the applicant to enable proper administration of Article 2 of the Act.

2) The license/certification of an applicant not submitting a CE certification of full CE compliance will not be renewed.

c) Audits and Inspections

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1) The Department may audit CE certifications received from renewal applicants.

2) The Department will conduct random audits of certifications submitted by appraiser applicants. When audited, the applicant shall submit documentation of attendance at CE courses such as certification letters, transcripts and Uniform Request for Continuing Education Credit, from the course provider (or sub-provider). Such documentation shall be submitted within 30 days of the Department's request.

(Source: Added at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1455.210 Fees - Education Providers/Courses

a) Application Fees for Appraiser Education Providers

a) 1) The fee for application as a real estate appraiser education provider shall be \$1000, plus \$500 per course approval fees set forth in subsection (b) below, which is are non-refundable.

b) 2) The fee for renewal of an approved real estate appraiser education provider shall be \$500 per year which is non-refundable.

A) The fee to renew an appraiser education provider license that has expired for less than 60 days shall be \$500 plus a penalty of \$100.

B) An appraiser education provider's license that has expired for more than 60 days may not be renewed. The provider may reapply for licensure in accordance with Section 1455.200.

b) Application Fees for Pre-license/certification and CE Course Approval

c) ~~The fee for adding a course pursuant to Section 1455.200 shall be \$500.~~

e) 1) The application fee for reevaluation--of a pre-license/certification appraisal course shall be \$500 and each approved course must be re-evaluated and re-approved every 3 years.

2) The application fee for CE course approval shall be \$300 and each course must be re-evaluated prior to its expiration date, which is March 31 of even numbered years. A course meeting the requirements of a pre-license/certification course as set forth in Section 1455.200(c)(1) through (5) will be denied licensure as a CE course; however, such course may be approved by application for approval as a pre-license/certification course and payment of the appropriate fee.



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- 3) The fee for evaluation of revisions to approved courses shall be \$200 for pre-license/certification courses and \$75 for CE courses.

(Source: Amended at \_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_)

## SUBPART C: GENERAL

## Section 1455.300 Renewals

- a) Every license or certificate issued under the Act as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser shall expire on September 30 of each odd-numbered year. The holder of a license or certification may renew the license or certification during the month preceding the expiration date by paying the required fee specified in Section 36.6 of the Act. A penalty fee of \$20 shall be charged for renewal of an expired license or certification.

- b) 1) In order to renew a license or certification in 1995, and thereafter, an applicant will be required to comply with the continuing education requirements pursuant to Section 36.17 of the Act and Section 1455.205 of this Part.

- 2) A license with the title of State Licensed Real Estate Appraiser may be renewed by providing evidence of completion of experience as required by Section 1455.20(b), evidence of 20 hours CE course work and payment of renewal fees set forth in Section 36.6 of the Act. For a license expired between 2 years and 3 years, a renewal applicant shall complete the 20 hours of CE after the expiration date on the license.

- 3) An expired license for Certified Residential or General Real Estate Appraiser may be renewed by payment of renewal fees set forth in Section 36.6 of the Act and evidence of completion of 20 hours of CE coursework. For a license expired between 2 years and 3 years, a renewal applicant shall complete the 20 hours of CE after the expiration date on the license.

- 4) A license or certificate for State Licensed, Certified Residential or Certified General Real Estate Appraiser expired for more than 3 years will not be renewed. The appraiser may reapply for license or certification by meeting the licensure or certification requirements in effect at the time of application and by passing the appropriate State Appraiser Examination.

- 5) The holder of a license or certificate for State Licensed, Certified Residential or Certified General Appraiser that is expired for a period of less than 3 years may renew the license or certificate in accordance with the provisions of this Section but may not reapply for licensure or certification in the same appraiser category until the certificate has been expired for 3 years.

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- e) Approved real estate appraiser education providers shall renew December 31 each year by paying the required fee set forth in Section 1455.210(b) of this Part.

- c) Approved pre-license/certification courses will expire 3 years from the date of issue and may be renewed by reapplication and payment of fees, in accordance with Section 1455.200 and 1455.210, 60 days prior to expiration.

- d) Approved appraisal CE courses will expire on March 31 of even numbered years and may be renewed by reapplication and payment of fees, in accordance with Section 1455.200 and 1455.210, 60 days prior to expiration.

- e) It is the responsibility of each individual holding certification or licensure to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee and to renew the certification in a timely manner.

- e) A certificate for State Licensed Real Estate Appraiser will not be renewed until the Department has received documentation of 500 hours of experience in accordance with Section 1455.20(b). To expedite processing, the documentation may be submitted with the original application for licensure or as soon as the experience is met; otherwise, it shall be submitted with the renewal application.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_)

## DEPARTMENT OF PUBLIC AID

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1) Heading of the Part: Food Stamps2) Code Citation: 89 Ill. Adm. Code 1213) Section Numbers: Proposed Action:121.170 Amendment  
121.174 Amendment4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13)[305 ILCS 5/12-4.4 through 12-4.6 and 12-13]5) Complete Description of the Subjects and Issues Involved: These proposed amendments are necessary to specify that individuals may be assigned to Job Search for a maximum of eight weeks within a twelve consecutive month period. Limiting the Job Search component to eight weeks out of any twelve consecutive month period is required by federal regulations. These proposed amendments also increase the requirements for employer contacts from five to eight in a thirty day period in the Job Readiness component. Increasing the job contacts from five to eight in the Job Readiness component is now required by the U.S. Department of Agriculture, Food and Nutrition Services' Food Stamp program to meet the maintenance of effort criteria in the federal regulations.6) Will these proposed amendments replace emergency amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? Yes

## Sections Proposed Action Illinois Register Citation

121.182 Amendment September 17, 1993 (17 Ill. Reg. 14793)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider

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all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicableB) Types of small businesses affected: NoneC) Reporting, bookkeeping or other procedures required for compliance: NoneD) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 121  
FOOD STAMPS

## SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Registration/Participation Requirements (Repealed)
121.24	Individuals Exempt From Work Registration Requirements (Repealed)
121.25	Failure to Comply (Repealed)
121.26	Period of Disqualification (Repealed)
121.27	Voluntary Job Quit (Repealed)
121.28	Good Cause for Voluntary Job Quit (Repealed)
121.29	Exemptions from Voluntary Quit Rule (Repealed)

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomer and Boarder
121.53	Income From Rental Property

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121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

## SUBPART D: ELIGIBILITY STANDARDS

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions From Monthly Income
121.64	Coupon Allotment

## SUBPART E: HOUSEHOLD CONCEPT

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121.96	Uses For Food Coupons
121.97	Supplemental Payments
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## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

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121.151 Penalties for Intentional Violations of the Program  
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121.153 Disqualification Upon Finding of Intentional Violation of the Program  
121.154 Court Imposed Disqualification

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Section  
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121.162 Participation and Cooperation Requirements  
121.164 Orientation

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121.170 Job Search Component  
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## EMERGENCY

121.184 Sanctions  
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121.206 Determination of Monthly Allotment Reductions (Recodified)  
121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)  
121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13) [305 ILCS 5/12-4.4 through 5/12-4.6 and

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

5/12-13]

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill.

## NOTICE OF PROPOSED AMENDMENTS

Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 15, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## NOTICE OF PROPOSED AMENDMENTS

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section 121.170 Job Search Component

- a) Individuals assigned to the Job Search (JS) component based upon the employability plan must attend all scheduled meetings, including pre-arranged Job Skills Workshops conducted by other than Food Stamp Employment and Training staff. The individual will be notified in writing of all scheduled meetings. The failure of an individual to appear for scheduled meetings without good cause will constitute noncooperation.
- b) Individuals who fail to cooperate in Job Search without good cause shall be subject to financial sanction and/or food stamp disqualification as explained in Section 121.184.
- c) The individual is required to actively contact employers in his/her efforts to secure employment (i.e., mandatory registrants are required to make twenty (20) acceptable employer contacts every thirty (30) days). No individual shall receive a financial sanction and/or a food stamp disqualification for failure to make the appropriate number of job contacts, if the individual has made a good faith effort to make the job contacts (see Section 121.162(c)(2)).
- d) ~~At the end of the Job Search period, an individual who has not found a job but has demonstrated employability will continue in Job Search. Employability is demonstrated by an individual's education, training, employment history, market factors, personal situations, and experience in the Job Search component. After an individual has been placed in Job Search two consecutive times, the individual will be placed in a different component before being placed in Job Search again. Individuals may be assigned to Job Search for a maximum of eight (8) weeks within a twelve (12) consecutive month period.~~

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 121.174 Job Readiness Component

- a) An individual who has not found employment and who needs to learn the necessary essentials to obtain and maintain employment may be referred to the Job Readiness component. The Job Readiness component helps an individual gain necessary job finding skills to help find and retain employment.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 121.174 (continued)

## b) Eligibility Criteria

- 1) The Job Readiness component is appropriate for an individual determined to be near job ready and who requires assistance to perfect job finding techniques and improve interview skills needed to obtain and to retain employment.
- 2) Job Readiness activities may be combined with other component activities if determined appropriate.
- c) Participation Requirements
  - 1) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based upon the individual's circumstances.
  - 2) The individual must attend all scheduled classes or sessions. The individual must make satisfactory progress based upon the written policy of the job readiness provider. If there is a job search component in the program, the individual must make up to ~~five-(5)~~ eight (8) acceptable employer contacts in a thirty (30) day period.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part:

Ambulatory Surgical Treatment Center Licensing Requirements

2) Code Citation:

77 Ill. Adm. Code 205

3) Section Numbers:

205.350

Proposed Action:

Amendments

4) Statutory Authority:

Ambulatory Surgical Treatment Center Act  
(Ill. Rev. Stat. 1991, ch. 111 1/2, par. 157-8.1 et seq.)  
[210 ILCS 5/1 et seq.]

5) A Complete Description of the Subjects and Issues Involved:

The rules in Part 205 govern the licensure of ambulatory surgical treatment centers. The provisions governing laboratories in ambulatory surgical treatment centers are being amended as the result of the implementation of the Federal Clinical Laboratory Improvement Amendments (CLIA), which took effect September 1, 1992. The CLIA requirements apply to all clinical laboratories in all settings, including ambulatory surgical treatment centers. Section 205.350 is being amended to require that facilities must either possess a valid CLIA certificate for those tests performed in the facility or have a written agreement with a laboratory which possesses a valid CLIA certificate.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after the publication of the notice in the Illinois Register.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes ☐ No ☒ X

7) Does this Rulemaking contain an Automatic Repeat Date? Yes ☐ No ☒ X

If "yes," please specify the date: \_\_\_\_\_

8) Does this Rulemaking Contain Any Incorporations By Reference?  
Yes ☒ X No ☐



9) If "yes," please specify type: 6.02(a) X or 6.02(b) \_\_\_\_\_  
Are there any other Proposed Amendments Pending on this Part?  
Yes     No X

If Yes: D) Types of Professional Skills Necessary for Compliance:  
None.

The full text of the Proposed Amendments begins on the next page:

10) 

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
------------------------	------------------------	---------------------------

Statement of Statewide Policy Objectives:

This rulemaking does not create or expand a State Mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking:

Interested persons may present their comments concerning these rules by writing to Ms. Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, within 45 days after this edition of the Illinois Register.

These rules may have an impact on small businesses. In accordance with Sections 1-75 and 5-30 of the Administrative Procedure Act, any small business may present their comments in writing to Gail M. DeVito at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on these rules shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date Rulemaking was Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Type of Small Businesses Affected:

Ambulatory surgical treatment centers

C) Reporting, Bookkeeping or Other Procedures Required for Compliance:

None.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER b: HOSPITAL AND AMBULATORY CARE FACILITIES

## PART 205

## AMBULATORY SURGICAL TREATMENT CENTER LICENSING REQUIREMENTS

## SUBPART A: GENERAL

Section  
205.110  
205.115  
205.118  
205.120  
205.125  
205.130Definitions  
Incorporated and Referenced Materials  
Conditions of Licensure  
Application for Initial Licensure  
Application for License Renewal  
Approval of Surgical Procedures

## SUBPART B: OWNERSHIP AND MANAGEMENT

Section  
205.210  
205.220  
205.230  
205.240Ownership, Control and Management  
Organizational Plan  
Standards of Professional Work  
Policies and Procedures Manual

## SUBPART C: PERSONNEL

Section  
205.310  
205.320  
205.330  
205.340  
205.350Personnel Policies  
Presence of Qualified Physician  
Nursing Personnel  
Basic Life Support  
Laboratory Services

## SUBPART D: EQUIPMENT, SUPPLIES, AND FACILITY MAINTENANCE

Section  
205.410  
205.420Equipment  
Sanitary Facility

## SUBPART E: GENERAL PATIENT CARE

Section

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

205.510  
205.520  
205.530  
205.540Emergency Care  
Preoperative Care  
Operative Care  
Postoperative Care

## SUBPART F: RECORDS AND REPORTS

Section  
205.610  
205.620Clinical Records  
Statistical Data

## SUBPART G: LIMITED PROCEDURE SPECIALTY CENTERS

Section  
205.710  
205.720  
205.730  
205.740  
205.750  
205.760Pregnancy Termination Specialty Centers  
Personnel (Repealed)  
General Patient Care (Repealed)  
Preoperative Requirements (Repealed)  
Postoperative Requirements (Repealed)  
Reports (Repealed)

## SUBPART H: LICENSURE PROCEDURES

Section  
205.810  
205.820  
205.830  
205.840  
205.850  
205.860Complaints  
Notice of Violation  
Plan of Correction  
Adverse Licensure Action  
Fines and Penalties  
Hearings

## SUBPART I: BUILDING DESIGN, CONSTRUCTION STANDARDS, AND PHYSICAL REQUIREMENTS

Section  
205.1310  
205.1320  
205.1330  
205.1340  
205.1350  
205.1360  
205.1370  
205.1380Plant and Service Requirements  
General Considerations  
New Construction, Additions and Major Alterations  
Minor Alterations and Remodeling Changes  
Administration Department and Public Areas  
Clinical Facilities  
Support Service Areas  
Diagnostic Facilities

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF PROPOSED AMENDMENTS

205.1390 Other Building Services  
205.1400 Details and Finishes  
205.1410 Construction, Including Fire Resistive Requirements

SUBPART J: MECHANICAL

Section  
205.1510 General  
205.1520 Thermal and Acoustical Insulation  
205.1530 Steam and Hot Water Systems  
205.1540 Air Conditioning, Heating and Ventilating Systems

SUBPART K: PLUMBING AND OTHER PIPING SYSTEMS

Section  
205.1610 General  
205.1620 Plumbing Fixtures  
205.1630 Water System  
205.1640 Drainage Systems  
205.1650 Identification

SUBPART L: ELECTRICAL

Section  
205.1710 General  
205.1720 Switchboards and Power Panels  
205.1730 Panelboards  
205.1740 Lighting  
205.1750 Receptacles (Convenience Outlets)  
205.1760 Grounding  
205.1770 Equipment Installation in Special Areas  
205.1780 Emergency Electric Service  
205.1790 Fire Alarm System

205. TABLE A General Pressure Relationships and Ventilation Rates of Ambulatory Surgery Area

AUTHORITY: Implementing and authorized by the Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1991:1989 and 1990 Supp., ch. 111 1/2, par. 157-8.1 et seq.) 1210 ILCS 5/1 et seq.

SOURCE: Amended July 18, 1974; emergency amendment at 3 Ill. Reg. 10, p. 43, effective February 23, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 30, p. 371, effective July 23, 1979; amended at 5 Ill. Reg. 12756, effective November 4, 1981; amended at 6 Ill.

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Reg. 6220, 6225, and 6226, effective May 17, 1982; amended at 6 Ill. Reg. 10974, effective August 30, 1982; amended at 6 Ill. Reg. 13337, effective October 20, 1982; amended at 7 Ill. Reg. 7640, effective June 14, 1983; codified at 8 Ill. Reg. 9367; amended at 9 Ill. Reg. 12014, effective July 23, 1985; amended at 10 Ill. Reg. 8806, effective June 1, 1986; amended at 10 Ill. Reg. 21906, effective January 15, 1987; amended at 11 Ill. Reg. 14786, effective October 1, 1987; amended at 12 Ill. Reg. 3743, effective February 15, 1988; amended at 12 Ill. Reg. 15573, effective October 1, 1988; amended at 13 Ill. Reg. 16025, effective November 1, 1989; emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13802, effective August 15, 1990; amended at 15 Ill. Reg. 17770, effective December 1, 1991; amended at 17 Ill. Reg. 3507, effective March 3, 1993; amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Capitalization denotes statutory language.

Section 205.350 Laboratory Services

Each ambulatory surgical treatment center shall meet each of the following requirements:

a) Possess a valid Clinical Laboratory Improvement Amendments (CLIA) certificate for those tests performed by the facility (57 Fed. Reg. 40, pp. 7135-7139, February 28, 1992 - Medicare, Medicaid and CLIA Programs: Regulations Implementing the Clinical Laboratory Improvement Amendments of 1988 (CLIA) no further editions or amendments included. ~~Comply with the requirements of the Department's rules Illinois Clinical Laboratories Code (77 Ill. Adm. Code 450).~~

b) Have a written agreement with a laboratory, which possesses a valid CLIA certificate licensed under the Department's rules ~~Illinois Clinical Laboratories Code (77 Ill. Adm. Code 450)~~, to perform any required laboratory procedures which are not performed in the center.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED RULES

1) Heading of the Part: Uniform Penalty and Interest Act

2) Code Citation: 86 Ill. Adm. Code 700

3) Section Numbers: Proposed Action:

700.100 New Section  
700.110 New Section  
700.200 New Section  
700.210 New Section  
700.220 New Section  
700.230 New Section  
700.300 New Section  
700.310 New Section  
700.320 New Section  
700.330 New Section  
700.340 New Section  
700.400 New Section  
700.500 New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 120, par. 2603-1 et seq. [35 ILCS 735/3-1 et seq.]

5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements the Uniform Penalty and Interest Act ("the UPIA"). The UPIA becomes effective January 1, 1994. The UPIA applies to virtually all taxes administered by the Illinois Department of Revenue. The UPIA reduces the number of penalty rates from 30 to 6. The UPIA results in one interest rate with reference to taxes administered by the Department. The interest rate is the same for interest charged and interest paid by the Department. The rulemaking describes the application of the UPIA and the rules. The rules explain how interest will be charged and paid by the Department. The nature of the penalties charged taxpayers under the UPIA is explained by the rules, as is the manner in which those penalties are applied. The rules detail the standards that will be used by the Department in determining whether reasonable cause exists for the abatement of any penalty. The rules also discuss the manner in which payments received by the Department from taxpayers will be applied to the outstanding obligations of taxpayers.

The Department proposed rulemakings in the September 24, 1993 edition of the Illinois Register amending various other rules of the Department to cross-reference the new UPIA. In those rulemakings, we advised that this particular rulemaking was also to appear in the September 24, 1993. However, because of a photocopying glitch on our part, we were unable to provide the Secretary of State with a camera-

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED RULES

ready copy of this rulemaking in time to meet the publication deadline for the September 24 edition of the Register.

6) Will this proposed rule replace an emergency rule currently in effect:  
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part: No.

10) Statement of Statewide Policy Objectives: This rulemaking neither creates any state mandates, nor affects any existing state mandates.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Keith W. Staats  
Staff Attorney  
Illinois Department of Revenue  
Legal Services Bureau  
101 West Jefferson  
Springfield, Illinois 62794  
Phone: (217) 782-7054

The Department has also scheduled a public hearing to receive comments on these rules. The public hearing is scheduled for Chicago, Illinois at the James R. Thompson Center, Room 9-040, on Monday October 25, 1993 beginning at 1:00 PM and ending at 4:30 PM.

Persons interested in presenting testimony are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.

DEPARTMENT OF REVENUE  
NOTICE OF PROPOSED RULES

4. All testimony shall conclude at the specified time except that an individual presenting testimony at that time shall be allowed to complete the presentation.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: Any small business with tax obligations to the Illinois Department of Revenue..
- B) Reporting, bookkeeping or other procedures required for compliance: This rulemaking requires no new bookkeeping or other procedures for compliance.
- C) Types of professional skills necessary for compliance: Basic bookkeeping skills.

The full text of the Proposed Amendment(s) begins on the next page:

DEPARTMENT OF REVENUE  
NOTICE OF PROPOSED RULESTITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE  
PART 700  
UNIFORM PENALTY AND INTEREST ACT

## SUBPART A: SCOPE AND APPLICATION OF THE ACT

Section  
700.100  
700.110

Scope of the Act and this Part  
Application of the Provisions of the Act and this Part

## SUBPART B: INTEREST

700.200  
700.210  
700.220  
700.230

Interest Paid and Interest Charged  
Interest Rate Calculation  
Interest Charged Taxpayers  
Interest Paid Taxpayers on Overpayments

## SUBPART C: PENALTIES

700.300  
700.310  
700.320  
700.330  
700.340

Penalty for Late Filing or Failure to File and Penalty for Late Payment of Tax  
Penalty for Failure to File Correct Information Returns  
Penalty for Negligence  
Penalty for Fraud  
Personal Liability Penalty

## SUBPART D: REASONABLE CAUSE

700.400

Reasonable Cause

## SUBPART E: PAYMENT APPLICATION

700.500

Payment Application

**AUTHORITY:** Implementing the Uniform Penalty and Interest Act (Ill. Rev. Stat. 1991, ch. 120, par. 2603-1 et seq.)[35 ILCS 735/3-1], and authorized by Section 39b3 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 39b3)[20 ILCS 2502/39b3].



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED RULES

SOURCE: Adopted at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_

## SUBPART A: SCOPE AND APPLICATION OF THE ACT

## Section 700.100 Scope of the Act and this Part

The Uniform Penalty and Interest Act [35 ILCS 735/3-1 et seq.] ("the Act" or "the UPIA") and this Part apply to all taxes administered by the Illinois Department of Revenue with the exception of the Racing Privilege Tax Act [230 ILCS 5/27], the Revenue Act of 1939 [35 ILCS 205/1 et seq.], the Real Estate Transfer Tax Act [35 ILCS 305/1 et seq.] and the Coin-Operated Amusement Device Tax [35 ILCS 510/1 et seq.]. A specific provision of a particular act contrary to the requirements of the Uniform Penalty and Interest Act will control, as will a specific provision that may impose a penalty in addition to the penalties provided for in the UPIA. Generally, the Uniform Penalty and Interest Act applies to the Motor Fuel Tax Law, with the exception of provisions concerning IFTA (International Fuel Tax Agreement) and MFUT (Motor Fuel Use Tax). [35 ILCS 505/1]

EXAMPLE 1: The Uniform Penalty and Interest Act contains Section 3-4 which sets forth the penalty for failure to file correct information returns. However, Section 5b of the Motor Fuel Tax Law provides for the filing of an information return by bulk users of special fuel and imposes a \$75 penalty for failure to file this informational return. When the Uniform Penalty and Interest Act was enacted, Section 5b of the Motor Fuel Tax Law was not amended to reference the \$5 penalty under the Uniform Penalty and Interest Act. Therefore, the \$75 penalty will continue to apply to a failure to file an information return by a bulk user of special fuel. The \$75 penalty is a penalty "otherwise provided for in a tax Act." (See Section 3-4(a)(1) of the Act)

EXAMPLE 2: Section 3 of the Cigarette Tax Act [35 ILCS 130/3] requires distributors of cigarettes to purchase cigarette tax stamps and affix those stamps to packages of cigarettes before delivering the cigarettes in this State to a purchaser. Section 3 of the Cigarette Tax Act allows distributors to purchase the tax stamps from the Department with post-dated drafts. Section 3 provides that "a distributor's failure to pay any such draft when due, shall also make such distributor liable to the Department for a penalty equal to 25% of the amount of such draft." The 25% penalty is a penalty "otherwise provided for in a tax Act" that is in addition to the penalties imposed under the UPIA.

## Section 700.110 Application of the Provisions of the Act and this Part

- a) The Uniform Penalty and Interest Act and this Part are effective January 1, 1994 and the provisions of the Act and this Part apply

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to the rates of interest for periods on and after the effective date of the Act and this Part.

## b) Interest Charged

- 1) For periods subsequent to the effective date of the Act, the initial rate charged taxpayers by the Department for failure to remit taxes when due is the interest rate in effect at the time the liability to the Department accrued, subject to semi-annual adjustment pursuant to Section 3-2(b) of the UPIA.

EXAMPLE 1: A taxpayer is required to file a monthly return with the Department pursuant to the Automobile Renting, Occupation and Use Tax Act [35 ILCS 155/1] on March 20, 1994 for rental receipts from rentals that were received in February 1994. The taxpayer does not remit the tax to the Department when due on March 20, 1994. The interest rate to be charged the taxpayer will be the interest rate in effect on March 20, 1994.

EXAMPLE 2: A taxpayer is required to file fourth quarter 1993 IL-941 with remittance (income tax withholding). The return is filed before the due date of January 30, 1994 but tax is not fully paid until March 15, 1994. The interest rate will be the rate in effect on January 30, 1994 and will accrue through March 15, 1994, when the tax is paid.

EXAMPLE 3: A taxpayer is required to file a first quarter 1994 quarterly withholding return on or before April 30, 1994. The taxpayer has withholding during this period but does not remit the withholding payment to the Department until June 15, 1994. The interest rate to be charged the Taxpayer will be the interest rate in effect on April 30, 1994. This same rate will be charged through June 15, 1994, the date the tax is paid.

EXAMPLE 4: Assume the same fact situation as in Example 3, but payment is not received until August 15, 1994. The interest rate in effect on May 1, 1994 would be charged through June 30, 1994. A new rate would be charged from July 1, 1994 through August 15, 1994, the date the tax is paid.

EXAMPLE 5: A calendar year, corporate taxpayer filed its 1993 corporate income tax return (IL-1120) on October 15, 1994 with a payment for the total tax liability shown on the return attached. No estimated payments had been made. The taxpayer would be charged interest on the underpayment of tax from March 16, 1994 through June 30, 1994 at the rate in effect for the first semiannual period of



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1994 and from July 1, 1994 through October 15, 1994 at the rate in effect for the second semiannual period of 1994.

- 2) *Interest for periods prior to the effective date of the Act shall be computed at the rates in effect prior to that date.* (Section 3-9 of the Act)

EXAMPLE 1: A taxpayer was required to file, but did not file, a return with the Department under the Retailers' Occupation Tax Act [35 ILCS 120/1 et seq.] on or before August 31, 1981 for the July 1981 month liability period. The taxpayer was audited and a liability was assessed. The interest rate charged the taxpayer on this liability was 1% per month prior to September 17, 1981, and at the rate of 2% per month on and after September 17, 1981 and prior to January 1, 1987; and at the rate of 1.25% per month on and after January 1, 1987 and prior to January 1, 1994; and at the semiannually adjusted daily interest rate imposed pursuant to the Act and these rules from January 1, 1994 through the date the tax is paid.

EXAMPLE 2: A taxpayer was required to file a return under the Retailers' Occupation Tax Act on or before the 20th day of November 1993 for the October 1993 liability period. The return was filed and tax was paid on January 15, 1994. The interest rate charged on the liability was 1.25% per month for November 21, 1993 through December 20, 1993 and 1.25% for December 21, 1993 through December 31, 1993; and at the semiannually adjusted daily interest rate imposed pursuant to the Act and these rules from January 1, 1994 through January 15, 1994, the date the tax was paid.

EXAMPLE 3: A withholding tax agent has income tax withholding liability for the first quarter of 1986 that was due by April 30, 1986, but was not paid until August 15, 1994. The interest rate charged the taxpayer was 10% per annum for the period May 1, 1986 through June 30, 1986, 9% per annum for the period July 1, 1986 through December 31, 1993, and at the semiannually adjusted interest rate imposed pursuant to the Act and these rules from January 1, 1994 through August 15, 1994, the date the tax was paid.

EXAMPLE 4: A calendar year, corporate taxpayer filed its 1992 return on October 15, 1993. No estimated payments had been made and no payment accompanied the return. The taxpayer would be charged interest at a rate of 9% per annum from March 16, 1993 through December 31, 1993 and at the semiannual adjusted rate imposed pursuant to

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the Act and this Part from January 1, 1994 through the date paid.

*Penalties shall be imposed at the rate and in the manner in effect at the time the tax liability became due.* (Section 3-9 of the Act)

EXAMPLE 1: A retailer is required to file returns under the Retailers' Occupation Tax Act on a monthly basis, and is required to remit payment of the tax to the Department on a monthly basis. Tax is due from the retailer for sales made during the month of December 1993 on the twentieth day of January 1994. Penalties imposed for late payment or non-payment of the tax due shall be the penalties imposed at the rate in effect on January 20, 1994, the time the tax liability became due.

EXAMPLE 2: A retailer is required to file returns under the Retailers' Occupation Tax Act on a monthly basis, and is required to remit payment of the tax to the Department on a monthly basis. Tax is due from the retailer for sales made during the month of November 1993 on the twentieth day of December 1993. However, the taxpayer does not file a return or pay tax for this period until January 15, 1994. Penalties imposed for failure to file the tax return when due and failure to pay tax when due shall be the penalties imposed at the rates in effect on December 20, 1993; the time the tax liability became due.

EXAMPLE 3: A corporate taxpayer has a federal tax year based on its fiscal year. Its federal income tax return (1120), and by virtue of IITA Section 505(a)(1), its Illinois income tax return (IL-1120), are both due on November 15. In 1993, the taxpayer is granted a 7 month extension of time in which to file its Illinois return. As a result, taxpayer's state return is due June 15, 1994. Taxpayer does not comply with IITA Section 602 and make payment of the amount of its properly estimated tax for the taxable year on November 15, 1993, nor does taxpayer file its IL-1120 when due on June 15, 1994. Penalties imposed for failure to file the tax return when due and for failure to pay tax when due shall be the penalties imposed at the rates in effect on November 15, 1993, the time the tax liability became due.

EXAMPLE 4: A calendar year, corporate taxpayer files its 1993 IL-1120 on November 15, 1994 with a payment for the total amount of tax liability attached. Estimated payments were made throughout 1993 on the dates required by Section 803 of the Illinois Income Tax Act, but the taxpayer remitted only 75% of the estimated tax due for each installment. The penalties due for underpayment of estimated tax shall be imposed at the rate and in the manner in effect on March 15, 1994, because until the IL-1120 was due it was not determined that the estimated payments were in fact unpaid.

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- d) *Interest shall not be paid on claims filed after the effective date of the Act and this Part except such interest which is paid in accordance with the Act.* (Section 3-9 of the Act)
- EXAMPLE 1: A taxpayer files a claim for credit with the Department on January 15, 1994 for an overpayment of Use Tax. The overpayment occurred in October 1992 when the taxpayer self-assessed tax on a purchase of manufacturing machinery and equipment from an unregistered out-of-state retailer and then remitted the tax directly to the Department. The credit is issued on February 15, 1994. Interest shall be paid at the rate of 1% per month for the period from October 1992 through December 31, 1993; and at the semiannually adjusted interest rate imposed pursuant to the Act and these rules from January 1, 1994 through February 15, 1994, the date on which the claim was issued by the Department.
- EXAMPLE 2: An individual taxpayer files his IL-1040 return on April 10, 1993. On May 1, 1994 the taxpayer files a claim for refund. If the claim for refund is approved, the taxpayer will be entitled to interest from April 16, 1993 through December 31, 1993, at an annual rate of 9%, and from January 1, 1994 through the date the refund was issued at the semiannually adjusted interest rate under the UPIA.

## SUBPART B: INTEREST

## Section 700.200 Interest Paid and Interest Charged

Section 3-2 of the Act and this Part govern interest paid taxpayers and interest charged taxpayers by the Department.

## Section 700.210 Interest Rate Calculation

- a) The rate of interest to be paid to taxpayers and to be charged taxpayers is *the underpayment rate established under Section 6621 of the Internal Revenue Code.* (Section 3-2(a) of the Act)
- b) The underpayment rate is the sum of the Federal short-term rate plus 3 percentage points. The federal short-term rate is the rate determined by the Secretary of the Treasury based upon the average market yield (during any one month period selected by the Secretary of the Treasury and ending the calendar month in which the determination is made) on outstanding marketable obligations of the United States with remaining periods of maturity of 3 years or less.

- c) *The interest rate shall be adjusted on a semiannual basis, on January 1 and July 1, based upon the underpayment rate going into effect on that January 1 or July 1 under Section 6621 of the Internal Revenue Code.* (Section 3-2(b) of the Act)

- d) The Department will announce the interest rate and the semiannual adjustments of the interest rate to the public by publication in the Illinois Register and the State newspaper. Taxpayers may also contact the Department's Taxpayer Information Division for interest rate information.

## Section 700.220 Interest Charged Taxpayers

- a) *Interest shall be simple interest calculated on a daily basis. Interest shall accrue upon tax and penalty due. If notice and demand is made for the payment of tax due and if the amount due is paid within 21 days after the date of such notice and demand, interest under this Section on the amount so paid shall not be imposed for the period after the date of the notice and demand.* (Section 3-2(c) of the Act)

- b) Interest on tax shall accrue from the due date of the tax without regard to extensions of time for filing of returns.

- c) Interest on any penalty shall accrue from the date the penalty is imposed.

EXAMPLE 1: A taxpayer was required to file a return under the Retailers' Occupation Tax Act on or before February 20, 1994 for the January 1994 liability period. The return was filed and tax was paid on May 25, 1994. An assessment will be issued with interest calculated at the semiannually adjusted daily rate pursuant to the Act and this Part on the tax due and penalty assessed from February 21, 1994 through May 25, 1994, the date the tax was paid.

EXAMPLE 2: A taxpayer was required to file a return under the Retailers' Occupation Tax Act on or before December 20, 1993 for the November 1993 liability period. The return was filed and tax was paid on May 25, 1994. An assessment will be issued with interest calculated at the 1.25% per month or fraction of month rate from December 21, 1993 to December 31, 1993 and at the semiannually adjusted daily rate imposed pursuant to the Act and these rules on the tax due, from January 1, 1994 through May 25, 1994, the date the tax was paid. No interest shall be charged or accrued on the penalty assessed since the due date of the tax was before the effective date of the Uniform Penalty and Interest Act.



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**EXAMPLE 3:** A taxpayer was required to make accelerated payments of the Public Utilities Tax on the 7th, 15th, 22nd and 31st of January 1994. Each payment should have been \$3000. The taxpayer did not make a payment on the 31st day of January, but the taxpayer did pay \$3000 with the monthly return which was filed, when due, on February 15, 1994. The taxpayer will be charged a 15% late payment penalty because the last accelerated payment was not paid when due. An assessment will be issued with interest calculated on the tax and penalty from February 1, 1994 through February 15, 1994, when the payment was received.

**EXAMPLE 4:** A corporate calendar year taxpayer files a return under the IITA on March 15, 1994 for its 1993 taxable year. The corporation was liable for, but did not make, any estimated payments for the taxable year. The tax liability reported on the IL-1120 was paid in full when the return was filed. Upon the filing of the return the corporation will be assessed a late payment penalty for failure to make proper quarterly estimated payments. Interest on the late payment penalty will begin to accrue on the original due date of the return and will continue to accrue until the date paid.

**EXAMPLE 5:** A corporate, calendar-year taxpayer files a return under the IITA on March 15, 1994 for its 1993 taxable year. The corporation properly made all estimated payments and paid the remainder of its tax liability when the return was filed. In 1997 an audit is completed on the corporation's 1993 return and additional liability is proposed. The corporation agrees to the audit results but does not pay the liability until 30 days after the Notice and Demand for payment is issued. A late payment penalty will be assessed on the audit liability and interest will accrue on the penalty from the original due date of the 1993 return until the date the penalty is paid.

## Section 700.230 Interest Paid Taxpayers on Overpayments

a) *No interest shall be paid upon any overpayment of tax if the overpayment is refunded or a credit approved within 90 days after the last date prescribed for filing the original return, or within 90 days of the receipt of the processable return, or within 90 days after the date of overpayment, whichever is latest, as determined without regard to processing time by the Comptroller or without regard to the date on which the credit is applied to the taxpayer's account. (Section 3-2 of the Act)*

1) The reference to "credit" in Section 3-2 of the UPIA, and throughout this Section, is to claims for credit granted

under the various tax acts. Under the claim for credit procedures, upon the filing of an amended return for the period at issue, if the return demonstrates overpayment of tax, a credit memorandum is issued to the taxpayer. This credit may then be applied to liabilities, or transferred with the permission of the Department.

2) Under Section 3 of the Retailers' Occupation Tax Act, the Department has been granted the authority to issue verified credits. A verified credit is an amount of tax overpaid in a prior period that may be rolled over and applied to a tax liability. The verified credit mechanism authorizes this procedure without the necessity of the formalities involved in the claim for credit procedures. Interest is not paid on verified credits. They appear on the Statement of Account (SOA).

b) For purposes of this Section, Section 3-2 of the UPIA provides that the date of overpayment shall mean the date tax was paid, the original due date of the return or the date a processable return was received, whichever is later.

1) Where a return is unprocessable, and the Department issues a notice of that fact to the taxpayer within 90 days of the filing of the unprocessable return or within 90 days of the due date (whichever is later), interest will be allowed on any overpayment only from the date the return was made processable by the taxpayer if the refund or claim for credit on the overpayment is not approved within 90 days of the date on which the return was made processable.

2) Where a return is unprocessable and notice of that fact is not given to the taxpayer by the Department within 90 days of the filing of the unprocessable return, interest will be allowed from the latter of the date the tax was paid, the original due date of the return or the date the unprocessable return was originally received until the date of notice to the taxpayer by the Department that the return is unprocessable. Additional interest will be allowed from the date the return was made processable until the date the refund or claim for credit on the overpayment is approved, but only if the refund or claim for credit is not approved within 90 days of the date the return was made processable by the taxpayer. (See subsection (f) below)

c) For purposes of calculating interest on overpayments of tax, a processable return is a return that;



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- 1) is in the form prescribed or approved by the Department;
- 2) is signed by the person authorized by law; and
- 3) contains all information, schedules, and support documents necessary to determine the tax due and to make allocations of tax as prescribed by law. (Section 3-2 of the Act)

d) Any unprocessable return which is not corrected and made processable within the time period identified on the Department's notice will be considered a nonfiled return, subject to any and all applicable penalties. Being considered a nonfiler for any given period will also result in an extended or open time period for issuance of a Notice of Deficiency or Notice of Tax Liability.

e) For the purpose of computing interest, a return shall be deemed processable unless the Department notifies the taxpayer that the return is not processable within 90 days after the receipt of the return; however, interest shall not accumulate for the period following this date of notice. (Section 3-2 of the Act) Notice by the Department must be in writing and is effective on the date mailed to the taxpayer at the last known address for the taxpayer according to Department records.

f) Interest on amounts refunded or credited pursuant to the filing of an amended return or claim for refund shall be determined from the due date of the original return or the date of overpayment, whichever is later, to the date of the payment by the Department without regard to processing time by the Comptroller or the date of credit by the Department or without regard to the date on which the credit is applied to the taxpayer's account. (Section 3-2 of the Act) Interest on overpayments due pursuant to the filing of an amended return or claim for credit will be allowed as specified in this section and section (b) except:

- 1) that interest will be allowed whether or not the overpayment is approved within the 90 day period (except if the refund or credit is issued within 90 days of receipt of the original processable return or overpayment (see subsection (a) above)); or
- 2) If a claim for refund relates to an overpayment attributable to a net loss carryback as provided by Section 207 of the Illinois Income Tax Act, the date of overpayment shall be the last day of the taxable year in which the loss was incurred. (Section 3-2 of

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the Act) In this case interest will be allowed only from the last day of the taxable year in which the loss was incurred.

- e) If the Department notifies the taxpayer that a return is unprocessable later than 90 days from the date the return is received, the Department will only be required to pay interest from the due date of the original return to the date of the Department's notice to the taxpayer that the return is unprocessable.

EXAMPLE 1: An IL-1120 reflecting a refund of \$10,000 for the taxable year ending 12/31/94 is filed on 3/15/95. On 6/1/95 notice is given that the return is not processable. The taxpayer responds on 7/1/95 with information suitable to process the return. If a refund is approved by 10/1/95, no interest will be allowed because notice was given within 90 days of the date the return was received and the refund was approved within 90 days of the date the return was made processable.

EXAMPLE 2: Same facts as in the preceding example except that notice was not given until 6/16/95. In this case, interest will be allowed from 3/15/95 through 6/16/95.

EXAMPLE 3: Same facts as in example 2 except that the refund is not approved until 11/1/95. In addition to the interest provided in example 2, interest will also be allowed from 7/1/95 through 11/1/95.

## SUBPART C: PENALTIES

## Section 700.300 Penalty for Late Filing or Failure to File and Penalty for Late Payment of Tax

- a) A penalty of 5% of the tax required to be shown shall be imposed for failure to file any tax return on or before the due date prescribed for filing determined with regard for any extension of time for filing (penalty for late filing or nonfiling).

- 1) If any unprocessable return is corrected and filed within 21 days after notice by the Department the late filing or nonfiling penalty shall not apply. (Section 3-3(a) of the Act) The unprocessable return must have been filed on or before the due date prescribed for filing of that return, with regard for any extension of filing. In other words, a taxpayer may not attempt to avoid the 5% penalty by the late filing of an unprocessable return which is then corrected within 21 days of notice by the Department.

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- 2) A return, for purposes of the imposition of this penalty, is any return required by a tax Act to be filed with the Department that is not an information return as that term is defined in Section 3-4(c) of the Act.
- EXAMPLE 1: A withholding agent files Form IL-941 (Employer's Quarterly Illinois Withholding Tax Return) for third quarter 1994 on November 1, 1994. The total Illinois tax withheld is \$500,000. The form was due on October 31, 1994. A late payment filing penalty is imposed as follows: Total Illinois tax withheld (\$500,000) times the 5% late filing penalty equals \$25,000.
- EXAMPLE 2: A withholding agent files Form IL-W-3 (Reconciliation of Illinois Income Tax Withheld and Transmittal of Income and Tax Statements) for tax year 1993 on March 1, 1994. The total Illinois tax withheld is \$1,000,000. The form was due on February 28, 1994. A late filing penalty is imposed as follows: Total Illinois tax withheld (\$1,000,000) times the 5% late filing penalty is \$50,000.
- 3) If a penalty for late filing or nonfiling is imposed in addition to a penalty for late payment, the total penalty due shall be the sum of the late filing penalty and the applicable late payment penalty (Section 3-3(a) of the Act).
- b) A penalty of 15% of the tax shown on the return or the tax required to be shown due on the return shall be imposed for failure to pay:
- 1) the tax shown due on the return on or before the due date prescribed for payment of that tax, an amount of underpayment of estimated tax, or an amount that is reported in an amended return other than an amended return timely filed as required by subsection (b) of Section 506 of the Illinois Income Tax Act (penalty for late payment or nonpayment of admitted liability); or
  - 2) the full amount of any tax required to be shown due on a return and which is not shown (penalty for late payment or nonpayment of additional liability), within 21 days after a notice of arithmetic error, notice and demand, or a final assessment is issued by the Department. In the case of a final assessment arising following a protest and hearing, the 21-day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings for a review having been instituted. In the case of a notice of tax liability that becomes a final assessment without a protest and hearing, the penalty provided in this

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- Section shall be imposed at the expiration of the period provided for the filing of a protest. (Section 3-3(b) of the Act).
- c) For purposes of the late payment penalties, the basis of the penalty shall be the tax shown or required to be shown on the return, whichever is applicable, reduced by any part of the tax which is paid on time and by any credit which was properly allowable on the date the return was required to be filed. (Section 3-3(c) of the Act) The amount of this late payment penalty, unlike some late payment penalties that were imposed prior to the adoption of the Uniform Penalty and Interest Act, does not change over time. The late payment penalty is the same whether payment is one day late, or one year late.
- d) A penalty shall be applied to the tax required to be shown even if that amount is less than the tax shown on the return. (Section 3-3(d) of the Act)
- EXAMPLE: A rentor of automobiles for periods of one year or less, has tax due under the Automobile Renting Occupation and Use Tax for the rental receipts received during the month of June 1994 on July 20, 1994. The tax shown on the return filed on July 20, 1994 is \$500, but the taxpayer remits no payment of the tax when the return is filed. On August 1, 1994 the taxpayer files an amended return reducing tax liability to \$400 and also remits \$400. Assuming that the \$400 amount shown on the amended return is correct, the taxpayer owes a late payment penalty on \$400, the amount required to be shown on the original return, not the \$500 amount that was shown on the original return.
- e) If both a subsection (b)(1) penalty and a subsection (b)(2) penalty are assessed against the same return, the subsection (b)(2) penalty shall be assessed against only the additional tax found to be due. (Section 3-3(e) of the Act)
- EXAMPLE: A withholding tax agent has tax due for the third quarter of 1994. The return is filed timely, with tax withheld of \$20,000, but on time payments only equal \$15,000 leaving a tax balance due of \$5,000. The late payment penalty applicable on November 1, 1994 is \$750. Full payment of tax is made on March 15, 1995. On October 1, 1997, an audit is completed increasing tax to \$30,000. Additional late payment penalty is \$1500 (\$30,000 minus the original \$20,000 equals \$10,000 tax due times 15% equals \$1500 late payment penalty.) the total late payment penalty is \$2250.
- f) If the taxpayer has failed to file the return, the Department shall determine the correct tax according to its best judgment and information,



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*which amount shall be prima facie evidence of the correctness of the tax due.* (Section 3-3(f) of the Act)

50% of the maximum prescribed in subsection (b)(2). (Section 3-4(b) of the Act)

- g) *The time within which to file a return or pay an amount of tax due without imposition of a penalty does not extend the time within which to file a protest to a notice of tax liability or a notice of deficiency.* (Section 3-3(g) of the Act)

- 3) A corrected information return is a return that includes all information required to be included on the return and all the information is correct.

### Section 700.310 Penalty for Failure to File Correct Information Returns

- a) *An information return is any return required by a tax Act to be filed with the Department that does not, by law, require the payment of a tax liability.* (Section 3-4(c) of the Act) Examples of information returns are the information returns that the Department may require of retailers pursuant to Section 3 of the Retailers' Occupation Tax Act. An information return is not a tax return with a zero balance. For example, the filing of a Form ST-1 by a retailer who had no gross receipts for the period covered by the filing of the return is not an information return. Similarly, the filing of Form IL-941, IL-W-3 or RC-6 is not an information return as defined in Section 3-4(c) of the Act.

- 4) A corrected information return will be deemed to have been filed with and received by the Department within 60 days if the date shown by the post office cancellation mark stamped upon the envelope or other appropriate wrapper containing the return is dated within 60 days of the due date of the return, or actual receipt by the Department if deliveries are made by means other than the U.S. Postal Service.

### Section 700.320 Penalty for Negligence

- a) *If any return or amended return is prepared negligently, but without intent to defraud, and filed, in addition to any penalty imposed under Section 3-3 of this Act, a penalty shall be imposed in an amount equal to 20% of any resulting deficiency.*

- b) *Negligence includes any failure to make a reasonable attempt to comply with the provisions of any tax Act and includes careless, reckless, or intentional disregard of the law or rules.* (Section 3-5 of the Act)

- c) *Penalty for negligence shall not apply where an assessment results from a reasonable difference of opinion as to taxability.* (Section 3-5 of the Act) A reasonable difference as to taxability may be established by evidence that shows that the issue in dispute between the taxpayer and the Department is:

- 1) not resolved by the plain language of the statute;
- 2) an issue about which the Department has not adopted a rule of general applicability;
- 3) an issue about which the Illinois Supreme Court has not ruled and there are inconsistent opinions of the Illinois Appellate Courts.

### Section 700.330 Penalty for Fraud

- c) *The following failures are subject to the \$5 penalty:*

- 1) *Any failure to file an information return with the Department on or before the required filing date, or*

- 2) *Any failure to include all of the information required to be shown on the return or the inclusion of incorrect information.* (Section 3-4(a)(2) of the Act)

- d) *If any failure described in subsection (c) is corrected within 60 days after the required filing date:*

- 1) *The penalty imposed by the Act, and quoted in subsection (c) above, shall be reduced by 50%; and*
- 2) *The total amount imposed on the person for all such failures during any calendar year which are so corrected shall not exceed*



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- a) *If any return or amended return is filed with intent to defraud, in addition to any penalty imposed under Section 3-3 of this Act, a penalty will be imposed in an amount equal to 50% of any resulting deficiency.*
- b) *If any claim is filed with intent to defraud, a penalty shall be imposed in an amount equal to 50% of the amount fraudulently claimed for credit or refund. (Section 3-6 of the Act)*
- c) *By way of illustration and not by way of limitation, intent to defraud will be inferred from conduct such as keeping a double set of books, making false entries or alterations, or false invoices of documents, destruction of books or records, concealment of assets or covering up sources of income, handling of one's affairs to avoid compiling the records usual in transactions of the like kind, or any other conduct, the likely effect of which would be to mislead or conceal.*

**Section 700.340 Personal Liability Penalty**

- a) *Any officer or employee of any taxpayer subject to the provisions of a tax Act administered by the Department who has control, supervision or responsibility of filing returns and making payment of the amount of any trust tax imposed in accordance with that Act and who willfully fails to file the return or make the payment to the Department or willfully attempts in any other manner to evade or defeat the tax shall be personally liable for a penalty equal to the total amount of tax unpaid by the taxpayer including interest and penalties thereon. (Section 3-7(a) of the Act)*
- b) *The term willful means a voluntary, conscious and intentional act on the part of the officer or employee. It may consist of a voluntary, conscious and intentional failure to file the required return or make the payment to the Department or a voluntary, conscious and intentional attempt to take any other action to evade or defeat the tax.*
- c) *The Department shall issue a notice of penalty liability for the amount claimed by the Department pursuant to Section 3-7 of the Act. (Section 3-7(b) of the Act)*
- d) *The personal liability imposed by Section 3-7 of the Act shall survive the dissolution of a partnership or corporation.*
- e) *In addition to any other remedy provided for by the laws of this State, and provided that no hearing or proceeding for review is pending, any Section of a tax Act which provides a means for collection of taxes shall*

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*in the same manner and to the same extent provide a means for the collection of the penalty imposed by this Section.*

- f) *Officer or employee of any taxpayer includes a member of a partnership. (Section 3-7 of the Act)*
- g) *A trust tax is any tax for which an amount is collected or withheld by a taxpayer from another person, and any tax for which an amount is required to be collected or withheld by a taxpayer from another person, regardless of whether it is in fact collected or withheld. (Section 3-7(f) of the Act)*

**SUBPART D: REASONABLE CAUSE****Section 700.400 Reasonable Cause**

- a) *The penalties imposed under the provisions of Sections 3-3, 3-4, and 3-5 of this Act shall not apply if the taxpayer shows that his failure to file a return or pay tax at the required time was due to reasonable cause. Reasonable cause shall be determined in each situation in accordance with rules and regulations promulgated by the Department. (Section 3-8 of the Act)*
- b) *The determination of whether a taxpayer acted with reasonable cause shall be made on a case by case basis taking into account all pertinent facts and circumstances. The most important factor to be considered in making a determination to abate a penalty will be the extent to which the taxpayer made a good faith effort to determine his proper tax liability and to file and pay his proper liability in a timely fashion.*
- c) *A taxpayer will be considered to have made a good faith effort to determine and file and pay his proper tax liability if he exercised ordinary business care and prudence in doing so. A determination of whether a taxpayer exercised ordinary business care and prudence is dependent upon the clarity of the law or its interpretation and the taxpayer's experience, knowledge, and education. Accordingly, reliance on the advice of a professional does not necessarily establish that a taxpayer exercised ordinary business care and prudence, nor does reliance on incorrect facts such as an erroneous information return.*
- d) *The Department will also consider a taxpayer's filing history in determining whether the taxpayer acted in good faith in determining and paying his tax liability. Isolated computational*

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or transcriptional errors will not generally indicate a lack of good faith in the preparation of a taxpayer's return.

- e) Examples of Reasonable Cause. The following non-exclusive list of situations will constitute reasonable cause for purposes of the abatement of penalties:

- 1) Reasonable cause for abatement of penalty will exist if a liability results from amendments made by the Department to regulations or formal administrative policies or positions after the return on which the liability was computed was filed.
- 2) Reasonable cause abatement may also be based on the death, incapacity or serious illness of the taxpayer (or his tax preparer) or a death or serious illness in his or her immediate family which causes a late filing and payment of tax due. In the case of a corporation, estate, trust, etc., the death, incapacity, or serious illness must have been of an individual having sole authority to file the return (not the individual preparing the return) or make the deposit/payment, or a member of such individual's immediate family.
- 3) An unavoidable absence of a taxpayer (or tax preparer) due to circumstances unforeseeable by a reasonable person may also constitute reasonable cause for purposes of abatement of the penalty. An unavoidable absence does not include a planned absence such as a vacation. In the case of a corporation, estate, trust, etc., the absence must have been of an individual having sole authority to file the return (not the individual preparing the return) or make the deposit/payment.
- 4) Factors beyond taxpayer's control such as destruction by fire, other casualty or civil disturbance, of the taxpayer residence or place of business records.
- 5) Taxpayer mailed the return or payment to the Department in time to reach the Department on or before the due date, given the normal handling of the mail. However, through no fault of the taxpayer, the return or payment was not delivered within the prescribed time period. This fact situation would constitute reasonable cause for abatement of the penalty.

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- 6) Reasonable cause will exist for purposes of abatement of the penalty if a taxpayer makes an honest mistake, such as inadvertently mailing a Department of Revenue check to a local government, another state's Department of Revenue, or to the Internal Revenue Service.
- 7) An Illinois appellate court decision, a U.S. appellate court decision, or an appellate court decision from another state (provided that the appellate court case in the other state is based upon substantially similar statutory or regulatory law) which supports the taxpayer's position will ordinarily provide a basis for a reasonable cause determination.

## SUBPART E: PAYMENT APPLICATION

## Section 700.500 Payment Application

- a) *Payments received from a taxpayer shall be applied against the outstanding liability of the taxpayer, or to an agreed portion of the outstanding portion of the outstanding liability, in the following order: the principal amount of the tax, then penalty, and then interest. (Section 3-9 of the Act)*
- b) A taxpayer may direct payment to a particular liability at the time payment is made to the Department. If a taxpayer has multiple liabilities to the Department, either based upon multiple taxes or multiple reporting periods, the taxpayer should identify the liability to which payment is to be directed.
- c) In the absence of direction from the taxpayer as to which of a taxpayer's outstanding liabilities payment is to be made, the Department will direct payments made by taxpayers to the oldest outstanding liability first, with payment directed first to the principal amount of the liability and any excess then directed to penalty and then to interest. If there remain funds after application of the payment to the oldest outstanding liability in the manner noted above, the remainder will be directed to the next oldest liability in the same manner.



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## NOTICE OF ADOPTED AMENDMENTS

1) HEADING OF THE PART: Duck, Goose and Coot Hunting

2) CODE CITATION: 17 Ill. Adm. Code 590

3) SECTION NUMBERS: ADOPTED ACTION:

590.10 Amendments  
590.20 Amendments  
590.25 Amendments  
590.26 Amendments  
590.30 Amendments  
590.40 Amendments  
590.50 Amendments  
590.60 Amendments  
690.70 New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10) [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

5) EFFECTIVE DATE OF AMENDMENTS: September 27, 1993

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 27, 1993

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: May 24, 1993, 17 Ill. Reg. 4554

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In Section 590.10(a), the ILCS citation "[520 ILCS 5/2.18]" was inserted following the Ill. Rev. Stat. citation.

Section 590.10(d) was changed to read as follows: ". . . copper-plated-~~or~~ nickel-plated or zinc plated . . .".

In Section 590.10(g), the following new subsection was added:

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3) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time.

In Section 590.10, the following two new subsections were added:

1) On any property where the principal waterfowl harvest is wild geese in the Rend Lake Canada Goose Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time.

m) Individual geese in possession of excess of twice the daily bag limit (as allowed in the Quota Zones only) must be identified by a tag if transported out of that zone. The tag must contain the hunter's signature and address and the date of kill and the location of the kill.

The source note at the end of the Section 590.26, was changed to read "Amended".

In Section 590.40(c), the citation was changed to read "590.50(b)(2) and (3)".

In Section 590.40(f), an "e" was added to the end of "Hurricane".

In Section 590.60(b)(4)(D), the first sentence was changed as follows: "4:30" was added following "3:40". In the second sentence (second time it appears), "each day of the duck hunting season" was changed to read "each day of the ~~duck~~waterfowl hunting season."

In Section 590.60(b)(13)(U), before "will", "shall" was added.

In Section 590.60(b)(14)(C), before "hunting", "shooting" was added.

In Section 590.60(b)(17) a new subsection was added (and the subsequent subsections renumbered):

17) Joliet Army Ammunition Plant (Will County)



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If negotiations between the Department and the United States Army are successfully concluded in time to have duck, coot or goose seasons at this site, regulations and requirements shall be publicly announced.

In Section 590.60(b)(26)(N), a new subsection was added:

N) After the close of duck season, goose hunters may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.

In Section 590.60(b)(29)(H), before "hunting", "shooting" was added.

In Section 590.60(b)(36)(H), a new subsection was added:

H) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF AMENDMENTS: The amendments to this Part extend the hunting hours for geese during the last three days of the season in the Rend Lake Quota Zone, change the dates for the youth goose and duck hunts, open four additional sites to waterfowl hunting and modify site specific hunting regulations.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

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## TITLE 17: CONSERVATION

## CHAPTER I: DEPARTMENT OF CONSERVATION

## SUBCHAPTER b: FISH AND WILDLIFE

## PART 590

## DUCK, GOOSE AND COOT HUNTING

## Section

590.10 Statewide Regulations

590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

590.25 Illinois Youth Goose Hunting Permit Requirements

590.26 Illinois Youth Duck Hunting Permit Requirements

590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and-Managed Sites

590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting

590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

590.70 Ohio River

## EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10) [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendments at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency

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expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendments at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendments at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 16443, effective September 27, 1993.

## Section 590.10 Statewide Regulations

- a) Pursuant to Section 2.18 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, par 2.18) [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), and the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20) (collectively referred to in this part as federal regulations), (no incorporation in this part includes later amendments or editions) or contrary to any State regulations made in the Wildlife Code.
- b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this rule, unless federal regulations are more restrictive.
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this rule are more restrictive.
- d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations. The only shot approved as non-toxic by the U.S. Fish and Wildlife Service (50 CFR 20) is steel shot, and copper-plated or nickel-plated or zinc plated steel shot for which the plating represents less than 1% the shot's weight. Lead shot plated with copper, nickel, or other material does not qualify.
- e) Emergency Closure  
The Department of Conservation (Department or DOC) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.
- f) Closed Areas and Refuges
  - 1) Ducks - Specific habitats, geographical areas, or political land

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units shall be closed to hunting of specified species of ducks in compliance with federal regulations.

- 2) Geese and Refuges
  - A) Additional geographical areas or political land units shall be closed to hunting of specified species of geese in compliance with federal regulations.
  - B) Portions of the following areas are designated as waterfowl refuges and the refuge boundaries are posted or identified on each area posting:
    - i) Horseshoe Lake Conservation Area - Alexander County (the refuge area shall be defined as all State owned land and those areas adjacent within the tract of land hereinafter described: Beginning at the intersection of State Highway No. 3 and the Olive Branch-Miller City Road, thence in southerly direction to the intersection of the Olive Branch-Miller City Road and the Promised Land Road, thence easterly to the intersection of the Promised Land Road and Old Highway No. 3, thence northwesterly to intersection of Old Highway No. 3 and State Highway No. 3 and thence northwesterly along State Highway No. 3 to point of beginning at Olive Branch) (in the refuge no motors except trolling motors will be allowed from October 15 through December 31 and trolling motors will only be used from January 1 to March 1)
    - ii) Mazonia-Braidwood State Fish and Wildlife Area
    - iii) Rend Lake and Rend Lake Wildlife Management Area
    - iv) Snake Den Hollow Fish and Wildlife Area (all use other than waterfowl hunting is prohibited from October 1 through the close of the Fulton-Knox County goose season)
    - v) Union County Conservation Area (all fishing and boat traffic is prohibited from October 15 through March 1)
    - vi) Melvin Price Lock and Dam Pool 26 (the posted area immediately south of Melvin Price Lock and Dam 26 on the Mississippi River, and including that portion of Maple Island, that is presently owned by the State of Illinois has been designated a waterfowl refuge. Discharge of firearms, hunting and off road vehicles are prohibited at all times. All boating is prohibited on waters of the refuge where posted from October 15 through April 15)
- g) Commercial Migratory Waterfowl Hunting Area Permits
  - 1) The holder of a permit shall forward within 30 days after the close of the season or at an earlier time as requested by the Department, a report upon forms furnished by the Department providing information on the hunting season.
  - 2) Subsection (g) shall be in accordance with Section 3.7 of the Wildlife Code [520 ILCS 5/3.7].

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address and the date of kill and the location of the kill.

(Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993.)

### Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Rice Lake Conservation Area  
Snake Den Hollow State Fish and Wildlife Area  
Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation.

- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].

- 3) The permit shall be for the use of the entire blind. It shall be the responsibility of the permit holder to bring one hunting partner (two hunters per blind) for Snake Den Hollow State Fish and Wildlife Area and Union County, or two hunting partners (three hunters per blind) for Rice Lake. Unfilled blinds shall be filled by a drawing at the sites.

4) Permit Transferability

- A) Permits are not transferable.  
B) For other information write to:  
Illinois Department of Conservation  
Permit Office - Waterfowl  
524 S. Second Street, Room 210  
P.O. Box 19457  
Springfield, IL 62794-9457

- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Snake Den Hollow State Fish and Wildlife Area, Union County Conservation Area and Rice Lake.

c) General waterfowl hunting regulations for Snake Den Hollow State Fish and Wildlife Area, Union County Conservation Area and Rice Lake areas

- 1) Subsection (c) of this Section shall be in accordance with

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Federal Regulations (50 CFR 20) unless the regulations in this Section are more restrictive.

- 2) Season dates, bag limits and methods of taking geese are set by the U. S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

3) Hours, Permits and Stamp Charges

- A) Hunting hours are from legal opening time until 12:00 Noon at Rice Lake and Snake Den Hollow State Fish and Wildlife Area. Hunting hours at Union County Conservation Area are from sunrise until 12:00 Noon.

- B) From opening day through December 14, hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. From December 15 through the close of goose seasons, hunters with permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. A drawing shall be held to allocate blind sites. At Union County Conservation Area, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), shall have priority to be reassigned to the better blinds as they become available.

- C) A \$15.00 Daily Usage Stamp must be purchased at Snake Den Hollow State Fish and Wildlife Area and Union County Conservation Area. A \$10.00 Daily Usage Stamp must be purchased at Rice Lake.

- 4) When daily quotas are not filled, permits shall be issued to standby hunters by a drawing held at the check station.

- 5) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

- 6) Hunting shall be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

- 7) Baiting with corn, grains or other feed is not allowed.

- 8) Guns must be unloaded and encased at all times when not hunting.

- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

- d) Special Canada geese hunting regulations for Union County Conservation Area.

- 1) The legal hunting season is the dates of the Quota Zone goose hunting season except that the areas shall be closed on Mondays and December 24, 25, 26 and 29 28. (This site shall be open only for the Illinois Youth Goose Hunt on December 29 28, pursuant to Section 590.25).

- 2) Hunters may not possess more than 5 shells for each Canada Goose



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allowed in the daily bag.  
3) Hunters cannot leave their blinds and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.

4) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.  
5) Hunters shall use only decoys provided by the Department. The use or possession of any other decoys is illegal.

6) Hunters must pick up decoys and place them next to the blind prior to checking out.

e) Special duck regulations for Rice Lake.

1) The legal hunting season is the dates of the central zone duck hunting season.

2) All hunting parties (each blind) are required to use a minimum of 12 duck decoys.

3) Hunters can bring a private boat or can rent a boat at the area. The maximum motor size limit for private boats is unrestricted and for rental boats is 10 h.p. while hunting. Boats shall be provided with blinds on Big Lake and no motors shall be allowed.  
4) Hunters must be at least 16 years of age to draw for a blind at the Rice Lake area.

5) Rice Lake will be closed to hunting when the lake is frozen over.  
f) Special Canada goose hunting regulations for Snake Den Hollow.

1) The legal hunting season is the dates of the Fulton-Knox County goose hunting zone.

2) Hunters must not possess more than 5 shells for each Canada goose allowed in the daily bag.

3) Hunters must not enter the refuge in pursuit of crippled geese.

4) Hunters must be at least 16 years of age to draw for a blind.

5) Closed on Tuesdays, Wednesdays and December 24, 25 and 26.

(Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993.)

## Section 590.25 Illinois Youth Goose Hunting Permit Requirements

a) State sites covered in this Section, which allow hunting by permit only, are:

Horseshoe Lake Conservation Area (Alexander County)  
Union County Conservation Area

b) Permit Requirements

1) Permit reservations shall be accepted starting in September. Initial acceptance dates shall be publicly announced. Applicants must be between the ages of 10-15.

2) Only one permit per person shall be issued for the hunt on December 29-1992 28, 1993.

3) The permit shall be for the use of the entire blind and it shall be the responsibility of the permit holder to bring one

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supervising adult who may also hunt.

4) Permit reservations and transferability.

A) All duplicate permit reservations shall be rejected and the hunter shall forfeit his rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.

B) For other information write to:

Illinois Department of Conservation  
Youth Goose Hunt  
524 S. Second Street, Room 210  
P.O. Box 19457

Springfield, IL 62794-9457

5) permits for the Illinois Youth Goose Hunt shall be issued from the Springfield Permit Office.

c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County) and Union County.

1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 20) unless the regulations in this Section are more restrictive.

2) Season dates, bag limits and methods of taking geese are set by the U.S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

3) Hours, Permits and Stamp Charges

4) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 noon on December 29-1992 28, 1993.

B) Hunters with Illinois Youth Goose Hunt permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. A drawing shall be held to allocate blind sites.

C) There is no fee for the Illinois Youth Goose Hunting Permit. Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

5) Hunting must be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

6) Baiting with corn, grains or other feed is not allowed.

7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.

8) Guns must be unloaded and encased at all times when not hunting.

9) Disturbing or molesting waterfowl, fishing or trespassing within the posted area of any hunting ground is prohibited.

d) Special Canada geese Illinois Youth Goose Hunt hunting regulations for Horseshoe Lake (Alexander County) and Union County:

1) The legal hunting season is December 29-1992 28, 1993.

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- 3) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time.
- h) Teal Hunting Regulations are located in 17 Ill. Adm. Code 740.
- i) When public duck blinds on State managed sites are flooded to the point that they are no longer usable, but the water level is not too high or rough to be a threat to public safety, the Department, by public announcement and posting, may permit waterfowl hunting anywhere on the area except in designated refuge areas. Any permits issued for the blinds are no longer valid and no fee to hunt the area will be charged.
- j) Waterfowl Hunting Zones:
- 1) Northern Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.
  - 2) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry Landing on the Mississippi River and east along the Modoc Ferry Road to Randolph County Highway 12 to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the Indiana border.
  - 3) Southern Zone - From the southern boundary of the Central Zone south to the remainder of the State.
  - 4) Fulton-Knox County Canada Goose Zone - Knox County and the following townships in Fulton County: Buckheart, Canton, Cass, Deerfield, Fairview, Farmington, Joshua, Orion, Putnam, and that portion of Banner Township bounded on the north by Illinois Route 9 and on the east by U.S. Route 24.
  - 5) Rend Lake Canada Goose Quota Zone - all lands and waters in Franklin and Jefferson Counties.
  - 6) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, Dupage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.
  - 7) Southern Illinois Quota Zone (Alexander, Union, Williamson, and Jackson Counties).
- k) No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone except between legal opening and the hour of 3:00 p.m. except during the last three days of the Canada goose season, hunting hours shall close at sunset daily.
- l) On any property where the principal waterfowl harvest is wild geese in the Rend Lake Canada Goose Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time.
- m) Persons in possession of geese in excess of twice the daily bag limit, when such geese were taken within the quota zones, shall tag each individual goose. The tag must contain the hunter's signature and

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- 2) Each youth may shall not possess more than 25 shells. Each adult shall not possess more than 5 shells for each Canada goose allowed in the daily bag.
- 3) Hunters cannot leave their blind and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.
- 4) Each youth and supervising adult may be accompanied by a guide.
- (Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993.)

## Section 590.26 Illinois Youth Duck Hunting Permit Requirements

- a) State sites covered in this Section, which allow hunting by permit only, are:
- b) Permit Requirements
- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates shall be publicly announced. Applicants must be between the ages of 10 - 15.
  - 2) Only one permit per person shall be issued for the hunt on November 15-1992 14, 1993.
  - 3) The permit shall be for the use of the entire blind and it shall be the responsibility of the permit holder to bring one supervising adult who may also hunt.
  - 4) Permit reservations and transferability.
    - A) All duplicate permit reservations shall be rejected and the hunter shall forfeit his rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.
    - B) For other information write to:  
 Illinois Department of Conservation  
 Youth Duck Hunt  
 524 S. Second Street, Room 210  
 P.O. Box 19457  
 Springfield IL 62794-9457
  - 5) Permits for the Illinois Youth Duck Hunt will be issued from the Springfield Permit Office.
- c) General waterfowl hunting regulations for Donnelley State Wildlife Area.
- 1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 20) unless the regulations in this Section are more restrictive.
  - 2) Season dates, bag limits and methods of taking ducks are set by the U.S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.
  - 3) Hours, Permits and Stamp Charges
    - A) Hunting hours at Donnelley State Wildlife Area are from sunrise until 12:00 noon on November 15-1992 14, 1993.

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- B) Hunters with Illinois Youth Duck Hunt permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. A drawing shall be held to allocate blind sites.
- C) There is no fee for the Illinois Youth Duck Hunting Permit.
- 4) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
- 5) Hunting must be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
- 6) Baiting with corn, grains or other feed is not allowed.
- 7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.
- 8) Guns must be unloaded and encased at all times when not hunting.
- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.
- 10) The legal hunting season is November 15-1992 14, 1993.
- 11) Each youth and supervising adult may be accompanied by a guide.

(Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993)

### Section 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and-Managed Sites

- a) The regulations in this Section apply to all sites listed in Sections 590.40, 590.50 and 590.60, unless otherwise stated in those Sections.
- b) The regulations in these Sections are in accordance with Federal Regulations (50 CFR 20) unless the regulations in these Sections are more restrictive.
- c) All the regulations in 17 Ill. Adm. Code 510 apply in these Sections, unless these Sections are more restrictive.
- d) Definitions
- 1) Blind site - A position within 10 feet of numbered site where blind must be constructed. Sites shall be located and marked by the Department of Conservation.
  - 2) Blind builder - Person who has been assigned a blind site as a result of the drawing.
  - 3) Blind partner - Person(s) chosen by the builder to assist in construction and maintenance of the blind and to share its hunting privileges.
  - 4) Drawing - Procedure by which blind sites are assigned.
  - 5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.

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- 6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.
- 7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.
- e) Blind Construction
- 1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.
  - 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
  - 3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of waterfowl season, except for those areas listed in Section 590.60(b) (12) and Section 590.60(b) (16), after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.
  - 4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, shall be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.
  - 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned before, by August 31. Failure to do so shall result in forfeiture of blind.
  - 6) No person shall be allowed to be a blind builder or partner on more than one State Waterfowl Management Area in Illinois.
  - 7) Boat hides are required, except as noted in Sections 590.40, 590.50 and 590.60, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by three weeks prior to the opening day



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of waterfowl season; failure to meet these standards shall result in forfeiture of blind site.

## f) Use of blinds

- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- 2) No person shall hunt, or attempt to hunt, except from within a registered blind.
- 3) Persons under 16 years of age shall not hunt, or attempt to hunt unless accompanied by an adult due to safety factors.
- 4) Blinds shall not be locked.
- 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied is unlawful.
- 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
- 7) All hunting parties shall hunt over a spread of at least 12 decoys. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container. Decoys must be removed at the end of the day's hunt or left overnight, as determined by the site manager.

## g) Public Drawing

- 1) Time and place for all sites holding drawings shall be publicly announced by the Department of Conservation.
- 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Person exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have Firearm Owner's Identification Cards must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of duck blind sites.

(Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993)

### Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section are:  
Anderson Lake Conservation Area

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Batchtown (Federal Lands)  
Calhoun Point (Federal Lands)  
Glades (Federal Lands)  
Godar-Diamond (Federal Lands)  
Horseshoe Lake State Park - Madison County  
Lake DePue State Fish and Wildlife Area  
Marshall County Conservation Area  
Mazonia State Fish and Wildlife Area  
Sangamo Conservation Area  
Spring Lake Conservation Area  
Stump Lake (Federal Lands)  
Woodford County Conservation Area

- b) The sites listed above in Section 590.40(a) conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in parentheses and in the remainder of this Section.

- 1) Anderson Lake Conservation Area - All Management Units (legal opening - noon)
  - 2) Batchtown (legal opening - 3:30 p.m. Central Standard Time (CST); ~~decoys must be picked-up and removed at the end of each day's hunt~~)
  - 3) Calhoun Point (legal opening - 3:30 p.m. CST)
  - 4) Glades (legal opening - 3:30 p.m. CST)
  - 5) Godar-Diamond (legal opening - 3:30 p.m. CST)
  - 6) Horseshoe Lake - Madison County (legal opening - 3:30 p.m. CST; goose hunting is prohibited after the duck season)
  - 7) Lake DePue (sunrise - noon)
  - 8) Marshall County Conservation Area - Spring Branch Unit (legal opening - Noon)
  - 9) Mazonia State Fish and Wildlife Area (legal opening to 12 noon; goose season coincides with site duck season; closed Mondays and Tuesdays)
  - 10) Sangamo (check station and walk-in area, hunters are not required to hunt from a blind site during goose seasons held prior to duck season; legal opening - Noon)
  - 11) Spring Lake (legal opening - Noon; during the waterfowl season, the maximum horsepower limit for outboard motors on the lake is 25 h.p.; no goose hunting prior to duck season)
  - 12) Stump Lake (legal opening - 3:30 p.m. CST)
  - 13) Woodford County Conservation Area (legal opening - Noon)
- c) The following regulations apply to all sites listed in this Section under Subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first-come basis, as per 590.50 (b)(2) and (3). ~~goose~~ Goose hunters must sign in prior to hunting and sign out and report

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- their harvest at the end of each day's hunt.
- 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before shooting hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.
  - 3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.
  - 4) All hunters must be checked out within one hour of the close of the legal shooting hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned.
  - 5) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 3 days prior to the waterfowl season.
  - 6) It shall be unlawful to trespass upon the designated waterfowl hunting area 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season on Anderson Lake, Lake DePue, Marshall County, Spring Lake, and Woodford County Sites, Godar-Diamond and Crull Impoundment.
  - 7) It shall be illegal to fish or trespass upon the designated waterfowl hunting area or waterfowl refuge beginning two weeks prior to the waterfowl season until the end of waterfowl season at Mazonia Fish and Wildlife Area.
  - 8) No more than 4 persons shall occupy a blind at one time.
  - d) During duck season, blinds not claimed by the builder or partners by one hour before shooting hunting time shall be assigned by a drawing at this time or during the time in parentheses, after which time the area shall be closed to additional hunters.
    - Anderson Lake (one hour before shooting hunting time - 10:00 a.m.)
    - Batchtown (9:00 a.m. - 1:00 p.m.)
    - Calhoun Point (9:00 a.m. - 1:00 p.m.)
    - Glades (9:00 a.m. - 1:00 p.m.)
    - Godar-Diamond (9:00 a.m. - 1:00 p.m.)
    - Horseshoe Lake - Madison County (9:00 a.m. - 1:00 p.m.)
    - Lake DePue (one hour before shooting hunting time - 9:00 a.m.)
    - Marshall County Conservation Area - Spring Branch Unit (one hour before shooting time - 9:00 a.m.)
    - Mazonia Fish and Wildlife Area (one hour before shooting hunting time - 9:00 a.m.)
    - Rice Lake (one hour before shooting hunting time - 9:00 a.m.)
    - Sanganois (one hour before shooting hunting time - 10:00 a.m.)
    - Spring Lake (one hour before shooting hunting time - 9:00 a.m.)
    - Stump Lake (9:00 a.m. - 1:00 p.m.)
    - Woodford County Conservation Area (one hour before shooting hunting time - 9:00 a.m.)

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- e) Blind sites shall be allocated for a one-year period by a public drawing at:
  - Anderson Lake (Anderson Lake Management Unit)
  - Horseshoe Lake (Madison County)
  - Lake DePue
  - Marshall County Conservation Area - Spring Branch Unit
  - Mazonia State Fish and Wildlife Area
  - Sanganois
  - Spring Lake
  - Woodford County Conservation Area
- f) Blind sites shall be allocated for a 3-year period by a public drawing at: (location of drawing site in parentheses)
  - Batchtown (Ball Park)
  - Calhoun Point and Stump Lake (Grafton Ball Park)
  - Diamond-Hurricane Island (Hardin Fairgrounds)
  - Glades and 12 Mile Island (Rosedale Headquarters Building)
- fg) Previous year's blind builders shall have until the time as noted in parentheses to salvage materials from their blinds.
  - Anderson Lake (February 1 of the following year)
  - Batchtown (7 days after the current drawing)
  - Calhoun Point (7 days after the current drawing)
  - Glades (7 days after the current drawing)
  - Godar-Diamond (7 days after the current drawing)
  - Horseshoe Lake - Madison County (7 days after the current drawing)
  - Lake DePue (7 days after the current drawing)
  - Marshall County Conservation Area - Spring Branch Unit (February 1 of the following year)
  - Mazonia State Fish and Wildlife Area (February 1 of the following year)
  - Sanganois (7 days after the current drawing)
  - Spring Lake (February 1 of the following year)
  - Stump Lake (7 days after the current drawing)
  - Woodford County Conservation Area (February 1 of the following year)
- h) Re-registration process for "3 year" blind allocation sites:
  - 1) Mississippi River Pools 21, 22, 24, 25 and 26  
In those years when blind sites are allocated by re-registration, at least one of last year's registered blind builders from each blind site must be present in order to re-register that blind site. Registrant must be over 16 years of age and have in his possession the current year's Illinois hunting license for himself and his blind partners. Failure to re-register during prescribed period shall result in loss of blind site.
  - 2) Blind builders may not be added or transferred to another blind after the initial blind registration has occurred.

(Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993)

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**Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting**

- a) Sites covered in this Section have additional regulations in parentheses:

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed)

Fuller Lake (Federal Lands; legal opening - 3:30 p.m. CST)

Helmhold Slough (Federal Lands; legal opening - 3:30 p.m. CST)

Illinois River - Pool 26

Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season)

Lake Sinnissippi (Department Owned Land)

Marshall County Conservation Area - Sparland Unit (Department Owned Land)

Meredosia Lake - Cass County Portion Only (meandered waters only) (all boat traffic is prohibited from operating on meandered waters (except un-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (Federal Lands)

Pekin Lake (Department Owned Land)

Piasa (Federal Lands)

Red's Landing (Federal Lands)

Redwing Slough/Deer Lake (closed on Tuesdays, Thursdays and Fridays, hunting hours close at 12 noon daily, no goose hunting except during duck season)

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Riptap Landing

Savanna Ordnance Depot (Federal Lands)

Starved Rock State Park

William W. Powers Conservation Area (no goose hunting prior to duck season; boat hides required only at designated sites as announced at the drawing). ~~There will be no drawing in 1992. 1991 blind builders whose blinds passed inspection will be offered the opportunity to retain their respective blind sites for 1992 due to emergency closure of the site in 1991. Blind builders who did not pass inspection and those who decline this opportunity will have their blind sites offered to the list of alternates drawn at the 1991 drawing.~~

- b) The sites listed above in subsection (a) conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Hours are legal opening to sunset except as indicated in parenthesis under subsection (a) above.
- 2) Blind builders or partners must occupy their blinds by one-half hour before opening ~~shooting~~ hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first-come basis.
- 3) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- c) Hunting from permanent blinds will be permitted at the above areas with the following exceptions:

~~1) AMAX beased bands - no permanent blinds may be built - Temporary blinds only - 200 yards apart.~~

~~1) Mississippi River Pool 16 - no permanent blinds (Temporary blinds only), above Vellie Chute except for Goose Pond, Sunfish Slough, and Milan Bottoms (landward area upriver from river mile 474).~~

~~2) Boston Bay, Mississippi River Pool 18, Boston Bay - no permanent blinds may be built. Temporary blinds only - 200 yards apart.~~

~~3) Mississippi River Pools 16-18 - scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting.~~

~~4) Savanna Ordnance Depot - scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters.~~

~~5) Red's Landing - all area north of access road shall be a walk-in~~



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~~area--only,---No-permanent-blinds-may-be-built---Temporary-blinds only-that portion of Red's Landing that is north of the access road will be noted as a walk-in area only; during the regular duck season, no permanent blinds. This area will be closed to trespassing 3 days prior to duck season. Waterfowl hunting will be permitted during the regular duck season. Daily hunting hours will be legal opening until 1:00 p.m. CST.~~

- d) Special access restrictions are at the following sites:  
Savanna Ordnance Depot (boat access only)
- e) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Savanna Ordnance depot.
- f) Previous year's blind builders shall have until the date listed in parentheses of the following year to salvage materials from blind sites. After this date, all materials shall become the property of the Department or the new blind builder, as determined by the site manager, except as noted in parentheses.

Chain O'Lakes (7 days after current year's drawing; except blind numbers 23, 24, 25, 26, and 27 must be removed in their entirety by May 1.)

Des Plaines River (~~blind-drawing-date~~ February 1)

Fuller Lake (7 days after the current year's drawing)

Helmbold Slough (7 days after the current year's drawing)

Illinois River Pool 26 (7 days after the current year's drawing)

Kankakee River (February 1)

Lake Sinissippi (blind drawing date; except blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 23, 26, 27, 28, 30, 31 and 32 must be removed in their entirety by May 1)

Marshall County Conservation Area - Sparland Unit (February 1)

Mississippi River Pools 16,17,18, 21, 22, 24, 25, 26, (7 days after the current year's drawing)

Pekin Lake (the blind drawing date)

Piasa (7 days after the current year's drawing)

Red's Landing (7 days after the current year's drawing)

Redwing Slough/Deer Lake (February 1; access for blind removal by appointment with site manager)

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Riprap Landing (7 days after the current year's drawing)

Savanna Ordnance Depot (7 days after the current year's drawing)

Starved Rock State Park (February 1)

William Powers (February 1)

- g) Blind sites shall be allocated for the period as noted by a public drawing at:

Chain O'Lakes (1 year)

Des Plaines River (1 year)

Helmbold Slough and Fuller Lake (3 years)

Illinois River Pool 26 and Piasa Island (3 years)

Kankakee River (1 year)

Lake Sinissippi (1 year)

Marshall County Conservation Area - Sparland Unit (1 year)

Mississippi River Pools 16, 17, 18, 22, 24, (2 years)

Mississippi River Pools 25, 26 (3 years)

Pekin Lake (1 year)

Red's Landing and Riprap Landing (3 years)

Redwing Slough/Deer Lake (1 year)

Savanna Ordnance Depot (1 year)

Starved Rock State Park (1 year)

William Powers (1 year)

- h) Re-registration Process for "2 year" and "3 year" Blind Allocation Sites.

1) Mississippi-River-Pools-16,-17-and-18

in-those-years-when-blind-sites-are-allocated-by-re-registration-at-least-one-of-last-year's-registered-blind-builders--from--each-blind-site-must-notify-by-phone-in-advance-to-re-register-that-blind-sites--Failure-to-re-register-during-the-publicly-announced-prescribed-period-shall-result-in-loss-of-blind-sites

2) Mississippi River Pools 21, 22, 24, 25 and 26

In those years when blind sites are allocated by re-registration, at least one of last year's registered blind builders from each

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blind site must be present in order to re-register that blind site. Registrant must be over 16 years of age and have in his possession the current year's Illinois hunting license for himself and his blind partners. Failure to re-register during prescribed period shall result in loss of blind site.

32) Blind builders may not be added or transferred to another blind after the initial blind registration has occurred.

i) At William Powers, fishing from boats during waterfowl season is unlawful. Fishing from the shore in areas posted as waterfowl hunting areas during waterfowl hunting season is unlawful.

j) Blind winners on the following sites will be provided forms for the purpose of maintaining waterfowl harvest records. The forms must be completed and returned within 15 days after the close of the site's waterfowl season or the blind builder and partners for that blind shall not be allowed to be a blind builder or partner at these sites for the following year.

Chain of Lakes State Park

Des Plaines Conservation Area

Kankakee River State Park

Redwing Slough/Deer Lake

William Powers Conservation Area

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective  
September 27, 1993 ) 16443

### Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

a) Sites covered in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. These sites are:

Braidwood Lake

Cache River State Natural Area

Campbell Pond Wildlife Management Area

Carlyle Lake Project Lands and Waters

Cedar Lake

Chauncey Marsh

Clinton Lake State Recreation Area

Crab Orchard Refuge

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Dog Island Wildlife Management Area

Donnelley State Wildlife Area

Eldon Hazlet State Park

Fox Ridge State Park

Ft. de Chartres Historic Site

Heidecke State Fish and Wildlife Area and Powerton Lake

Horseshoe Lake Conservation Area (Alexander County) Daily Drawing Waterfowl Hunting Area only

Horseshoe Lake Conservation Area (Alexander County) Public Hunting Area

Horseshoe Lake State Recreation Area (Madison County)

Kaskaskia River Fish and Wildlife Area

Kidd Lake State Natural Area (no permanent blinds allowed)

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville

Lake Shelbyville Fish and Wildlife Management Area

LaSalle Fish and Wildlife Area

Mermet Lake Conservation Area

Mississippi River Area Fish and Wildlife Area

Oakford Conservation Area

Pike County Conservation Area

Powerton Lake (Regulations combined with Heidecke Lake)

Rend Lake Project Lands and Waters

Rice Lake Conservation Area

Saline County Conservation Area

Sanganois Conservation Area

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Sangchris Lake State Park

Shawnee National Forest, Bluff Lake

Shawnee National Forest, LaRue Scatters

Shawnee National Forest, Oakwood Bottoms (West of the Big Muddy Levee)

Stephen A. Forbes State Park

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area (All hunters must sign in and out and report kill; no permanent blinds allowed)

Union County Conservation Area (firing line Waterfowl Management Area)

## b) Site specific regulations

## 1) Braidwood Lake

## A) Definitions:

i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area.

ii) Water blind site - a position within 50 yards of a numbered stake or buoy, or a position between two like-numbered buoys, where a blind may be located.

iii) Daily draw - procedure by which blinds or blind sites are allocated daily.

iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.

B) Waterfowl hunting shall be permitted on Department leased or managed lands and waters only at designated blind sites.

C) Water blind sites shall be determined by the Department of Conservation and marked with a numbered stake or buoy.

D) Blind sites shall be allocated on a daily draw basis conducted at the check stations 90 minutes before shooting hunting time. Hunters shall register as parties for the drawing; each party drawn will be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

E) Blind sites not selected during the drawing shall be allocated on a first-come, first-served basis. Vacant blind sites shall be allocated 90 minutes after legal shooting hunting time. No blind sites shall be allocated after 9:00 a.m.

F) Hunters wishing to move to another blind site must report

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this move to the check station attendant, in person, before such a move, except that after 10:00 a.m. daily, hunters may move to a vacant blind site without notifying attendant, but such a move must be reported when checking out.

G) Hunting shall be from boat blinds with a minimum length of 16 feet and a minimum 60-inch beam, and must have a gas-powered motor.

H) Access to blind sites shall be by boat only and from designated boat launch sites.

I) No more than 3 persons shall use one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.

J) Daily shooting hunting hours will be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.

K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

L) No unauthorized pits or blinds shall be built on Department leased or managed land or water.

M) Braidwood Lake shall be closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season and be closed to all fishing during waterfowl seasons commencing with duck season.

N) No hunting allowed on Monday and Tuesday.

O) Layout boats approved in advance by the site superintendent shall be permitted. A layout boat is defined as a non-motorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the designated tender boat location.

P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.

Q) Hunting is closed on Christmas Day.

R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.

S) It is unlawful to shoot across any dike.

T) Waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during the September goose season seasons held prior to duck season is permitted.

U) In the event of adverse water and/or weather conditions,



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to exceed 42" diameter) and capable of supporting only one person may be used.

- G) Only walk-in hunting shall be permitted in the subimpoundment areas. ~~No flotation devices capable of floating a man are allowed except Coast Guard approved PFD's.~~ When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Conservation personnel shall post that the area is open to boats. Boats are allowed only at these times in the subimpoundment areas.
- H) In the subimpoundment areas, compartments 3 and 4 will be waterfowl rest areas during the entire waterfowl season. NO hunting within 50 yards of D levee (which surrounds subimpoundment 3) or F levee (which contains subimpoundment 4) is permitted. No trespassing will be allowed. At the close of duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will be closed to goose hunting.
- I) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season.
- J) A minimum of 200 yards shall be maintained between waterfowl hunting parties. (A hunting party shall be defined as an individual, or group of hunters occupying a single boat, blind, or hunting site).
- K) No person shall tamper or attempt to manipulate any of the gates, pumps, or structures in the subimpoundment area.
- L) No motor driven vehicles are allowed in the subimpoundment area except those operated by Department of Conservation or Corps of Engineers personnel.
- M) ~~East Side Management Area from Cox Bridge to the north and east boundary of the State managed land is open to hunting of other species that are in season during the waterfowl hunting season.~~ Subimpoundment area waterfowl regulations apply in this the East Side Management area for waterfowl hunting. ~~Statewide and site specific regulations apply for other species.~~ No waterfowl hunting shall be permitted in the Hurricane Creek Area.
- N) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest registration box located at the access parking lot. All hunters must sign out and record their harvest at the end of each day's hunt.

5) Cedar Lake

All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.

56) Chauncey Marsh

A) Permit required, may be obtained at Red Hills State Park

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such as flooding, high winds, or heavy fog, hunting shall be prohibited.

- 2) Cache River State Natural Area
  - A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.
- B) Dedicated Nature Preserve areas are closed to hunting.
- 3) Campbell Pond Wildlife Management Area
  - A) All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.
- 4) Carlyle Lake Project Lands and Waters
  - A) ~~Shooting~~ Hunting hours for waterfowl are statewide opening hour until 1:00 p.m.
  - B) Waterfowl and coot hunting only shall be permitted in the subimpoundment area except in clearly posted ~~refuge~~ rest areas or developed recreation areas, or within 500 feet of construction sites or developed recreation areas during waterfowl season.
  - C) No permanent blinds, goose pits, or other structural works may be constructed or dug on State managed lands at any time, except that the U.S. Army Corps of Engineers may build permanent blinds for disabled or handicapped hunters. All other blinds must be portable in nature or constructed of natural vegetation located at the blind site, and must be removed at the end of the day's hunt.
  - D) It is unlawful to enter the subimpoundment area during the 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 3:00 4:30 a.m. each day of the duck hunting season, and no one may remain in the area after 3:00 p.m. each day of the duck waterfowl hunting season. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4.
  - E) No one may enter or remain on the waters of Carlyle Lake from 12:00 a.m. (midnight) to 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunter may remain in the area after 3:00 p.m. each day of the waterfowl hunting season. The waters of Carlyle Lake include the lake and that portion of the Kaskaskia River, northfork, eastfork and Hurricane Creek that are within the boundaries of the Carlyle Lake property.
  - F) ~~It shall be unlawful to be in possession of firearms on the waters of Carlyle Lake after 3:00 p.m. each day during the waterfowl hunting season and 24 hours prior to the opening day of waterfowl hunting season.~~ Individual float tubes (not

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Headquarters and must be returned by February 15.  
 B) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees is prohibited.

C) Dedicated Nature Preserve area is closed to hunting.

## 67) Clinton Lake

A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season shall be forfeited.

B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge, and within 200 yards of developed recreation areas, construction and industrial sites, or within 300 yards of electrical power lines.

C) Hunting parties must maintain a minimum distance of 200 yards apart.

D) No more than 3 persons shall occupy or use a portable boat blind.

E) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of each hunting day.

F) Each hunting party is required to hunt over a minimum of 12 decoys.

## 78) Dog Island Wildlife Management Area

All blinds must be of a portable nature and constructed with natural vegetation at the blind site and must be removed or dismantled at the end of the day's hunt.

## 89) Donnelley State Wildlife Area

A) Hunting is prohibited on Tuesdays and Wednesdays and on November 15--1992 14, 1993 except as indicated in Section 590.26.

B) Hunting hours are from sunrise to 12 Noon.

C) Goose hunting is prohibited after the close of the duck season.

D) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.

E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.

F) \$10.00 daily usage stamp must be purchased to hunt this area.

G) No outboard motors are allowed by public - only by authorized DOC personnel.

H) No more than 3 persons shall occupy a blind at any one time.

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I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 1 p.m.

J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys which must be removed upon the termination of the hunt.

K) The first weekend and the third Saturday of the waterfowl season shall be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.

L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).

## 10) Eldon Hazlet State Park

A) Hunting hours close at 1:00 p.m.

B) Waterfowl and coot hunting shall be permitted except in clearly posted refuge areas or developed recreation areas, or within 500 feet of construction sites, developed recreation areas, fisheries rearing ponds, roadways, and residences.

## 91) Fox Ridge State Park

A) Hunting restricted to Embarras River and its flood waters.

B) No permanent blinds of any kind or other structural works are permitted.

C) No pits shall be dug, built or occupied.

## 1012) Fort de Chartres Historic Site

A) No check station.

B) Hunting is allowed from anchored, portable boat blinds only on a first-come, first-served basis; no permanent blinds allowed.

C) Portable boat blinds must have been completed, including final brushing, before entering the area and must be removed at the end of each hunting day.

D) Hunting parties must maintain a minimum distance of 200 yards apart.

E) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day. No hunting is allowed during firearm deer season.

## 113) Heidecke State Fish and Wildlife Area and Powerton Lake

A) Definitions:

i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area. The boat blind and all blind materials must be removed at the end of each hunting day.

ii) Water blind site - a position within 10 yards of a numbered stake or buoy where a blind may be located.

iii) Daily draw - procedure by which blinds or blind sites

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- are allocated daily.
- iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.
- B) Waterfowl hunting shall be permitted on Department leased or managed lands and waters only at designated blind sites.
- C) Water blind sites shall be determined by the Department of Conservation and marked with a numbered stake or buoy.
- D) Blind sites shall be allocated on a daily draw basis conducted at the check stations 90 minutes before **shooting** hunting time at Heidecke State Fish and Wildlife Area and 60 minutes before **shooting** hunting time at Powerton Lake. At Heidecke Lake hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- E) Blind sites not selected during the drawing shall be allocated on a first-come, first-served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal **shooting** hunting time. No blind sites shall be allocated after the drawing until one hour after legal **shooting** hunting time. No blind sites shall be allocated after 10:00 a.m.
- F) Hunters wishing to move to another blind site must report this move to the check station attendant, in person, before such a move.
- G) Hunting must be from boat blinds only.
- H) Access to water blind sites must be by boat only and from designated boat launch sites.
- I) All water hunting must be from portable blind, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.
- J) Daily **shooting** hunting hours shall be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
- K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- L) No unauthorized pits or blinds shall be built on Department leased or managed land or water.
- M) Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl

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- season. Powerton Lake shall be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters; and closed to all unauthorized entry during the waterfowl season.
- N) No hunting on Monday and Tuesday at Heidecke Lake. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.
- O) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam; however, layout boats approved in advance by the site superintendent will be permitted. A layout boat is defined as a nonmotorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the center dike.
- P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
- Q) Hunting is closed on Christmas Day.
- R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
- S) It is unlawful to shoot across any dike at Heidecke Lake.
- T) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke Lake waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.
- U) In the event of adverse water and/or weather conditions, such as flooding, high winds, or heavy fog, hunting ~~will~~ **shall** be prohibited.
- ~~1214~~ Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only
- A) Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Tuesdays or December 24, 25, 26 and ~~29~~ 28 (this site shall be open only for the Illinois Youth Goose Hunt on December ~~29~~ 28, pursuant to Section 590.25).
- B) Hunting shall be done from assigned blinds only.
- C) A daily drawing for assigned blind sites will be held 60 minutes prior to legal **shooting** hunting hours each day hunting is allowed. For the drawing, hunters must register as a party; no more than two people per party are permitted.
- D) Hunters must deposit their license prior to going to their blinds.
- E) Hunters must park in assigned, designated areas only.
- F) Hunters must hunt over a minimum of 12 Canada goose decoys.



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- G) Daily hunting hours will be from sunrise to 12 Noon; hunters must return to the check station and report their harvest by 1:00 p.m.
- H) Hunters may not possess more than 5 shells for each Canada goose or subspecies allowed in the daily bag.
- I) Hunters cannot move from blind to blind, nor leave the assigned blind to shoot crippled geese; hunters may leave the assigned blind to retrieve crippled geese, but must leave their guns in the blind.
- ~~§15~~ Horseshoe Lake (Alexander County) Public Hunting Area
- A) No permanent blinds may be built.

## B) Daily hunting hours close at 12:00 Noon.

- ~~§16~~ Horseshoe Lake State Recreation Area (Madison County)
- A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.
- B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.
- C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.30(e), shall be given one week to correct deficiencies. Blinds failing the second inspection shall be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

## 17) Joliet Army Ammunition Plant (Will County)

If negotiations between the Department and the United States Army are successfully concluded in time to have duck, coot or goose seasons at this site, regulations and requirements shall be publicly announced.

~~§18~~ Kaskaskia River Fish and Wildlife Area

- A) Shooting Hunting hours are statewide opening hour until 1:00 p.m. during the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal shooting hunting hours shall be from statewide opening hour until statewide closing hour. Goose hunting hours end at 1:00 p.m.
- B) All waterfowl hunting parties must use at least 12 decoys and hunt at least 200 yards from the next hunting party.
- C) No permanent blinds allowed on the area. No one has any prior claim or right to any blind site. First-come, first-served rule prevails. Blinds shall be of a portable nature or constructed with natural vegetation located at the

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- blind site and must be removed or dismantled at the end of each day's hunt.
- D) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
- E) No one under 16 years of age shall hunt or attempt to hunt on the area unless accompanied by an adult due to safety factors.

## F) The following regulations apply to the Doza Creek Waterfowl Management Area:

- i) This area shall be closed to all public use 3 days prior to waterfowl hunting season. No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
- ii) Waterfowl and coot ~~and--archery--deer~~ hunting only allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the latter occurs after duck season.

~~§19~~ Waterfowl hunting is closed during the second--firearm deer--season

## 19) Kinkaid Lake Fish &amp; Wildlife Area

- A) No permanent blinds.
- B) Temporary blinds only.
- C) 200 yards apart

~~§20~~ Lake DePue (walk-in area)

- A) Blinds will be allocated by a daily drawing held 1 hour before shooting hunting time.
- B) Hunting hours are from sunrise to 12 noon daily.
- C) All hunting shall be from designated blinds only.
- D) Refilling or changing blinds will not be permitted.
- E) Goose hunting is prohibited after the close of the duck season.
- F) All parties must hunt over a minimum of 12 decoys.
- G) No boats are allowed in the walk-in area.
- H) The walk-in area will be closed to hunting on November ~~15~~ 14 (this is to accommodate the Youth Duck Hunt).
- I) All parties are required to report to the check station within 1 hour after termination of hunt or no later than 1 p.m.

~~§21~~ Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

- A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 4:00 a.m. and 5:00 a.m. Central Daylight Time (3:00 a.m. and 4:00 a.m. Central Standard Time) on those days. Each party drawn

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shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply:

- i) All parties must hunt within 10 yards of their assigned stake.
- ii) All parties must be in place by one-half hour before shooting hunting time.
- iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.

C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first-come, first-served basis except as noted in subsections (A) and (B) above. A hunting party must hunt within 10 yards of the stake.

D) Daily shooting hunting hours shall be from legal opening to 1:00 p.m.

E) Waterfowl hunters must maintain a distance of 200 yards between parties except as described in subsection (B) above. ~~(A-hunting party shall be defined as an individual or group of hunters occupying a single boat, blind or hunting site).~~

F) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

G) The building of permanent blinds of any kind or other structural works is prohibited. All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.

H) No goose pits shall be built or dug.

I) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.

J) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.

K) During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.

L) A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.

†922) Mermet

A) Waterfowl hunting shall be permitted only during the duck

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hunting season.

B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.

C) The daily drawing shall be held one hour prior to legal shooting hunting time.

D) All members of the hunting party shall register as a group (not to exceed 4 people per group) for the purpose of the drawing.

E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond with particular blind sites located along the levee road.

F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.

†~~Beer, squirrel and woodcock may not be taken in the waterfowl areas after the opening of the waterfowl season.~~

HG) Daily hunting hours shall be the legal opening until 12:00 Noon local time.

†H) All boats are prohibited from entering the duly posted waterfowl refuge (Main Lake) from October 1 until the close of the waterfowl season.

†923) Mississippi River Area Fish and Wildlife Area

A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.

B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation shall inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.

C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.60(e), shall be given one week to correct deficiencies. Blinds failing the second inspection shall be reassigned to alternates selected at a drawing on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

24) Oakford Conservation Area

A) All blinds must be portable. No permanent blinds.

B) Waterfowl hunters must maintain a distance of 200 yards

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between hunting parties.

**2025) Pike County Conservation Area**

Statewide season regulations apply except that the season closes November 30 in Area A and December 15 in Area C, or the legal statewide closing, whichever is earlier.

**2126) Rend Lake Project Lands and Waters**

A) All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.

B) No goose pits or permanent blinds shall be dug or built on Project lands.

C) All waterfowl hunters and all boats must be out of the Wildlife Management Areas by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.

D) No hunting permitted from the subimpoundment dams.

E) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.

F) The distance between waterfowl hunting parties shall be no less than 200 yards.

G) No waterfowl hunting permitted within 200 yards of any Whistling Wings Access Area daily drawing blind/pit.

H) All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subimpoundments from 2 weeks before waterfowl season until March 1 except that boats used by waterfowl hunters are permitted in the subimpoundments from 4:30 a.m. until 2 p.m. during the waterfowl season, except during the last 3 days of the Canada goose season, boats used by waterfowl hunters are permitted in the subimpoundments from 4:30 a.m. until one hour after sunset.

I) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.

J) Permanent blinds at the Whistling Wings Access Area shall be allocated by a daily drawing at 5:30 a.m.

K) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

L) Daily shooting hunting hours for waterfowl shall be from legal opening time to 1:00 p.m., except during the last 3 days of Canada goose season, hunting shall close at sunset daily.

M) The land portion of the Rend Lake Refuge is closed to trespassing at all times during waterfowl season. The location of the Rend Lake Refuge is described as follows:

- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.

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ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.

iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.

iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.

v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.

vi) Bounded on Nason Point by refuge boundary signs at project limits.

N) After the close of duck season, goose hunters may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.

**2227) Rice Lake (Walk-in and Copperas Creek Management Units)**

A) Hunting shall be alternated between units every other day beginning with opening day at the walk-in unit, and shall be limited to 20 hunters per day.

B) Hunters shall be determined by a daily drawing at the designated check station.

C) Shooting Hunting hours shall be from legal opening time until 12:00 Noon. Statewide bag-and-possession limits--apply on this area.

D) Walk-in hunting only.

**2328) Saline County Conservation Area**

A) Waterfowl hunting is allowed north of the township road only.

B) Walk-in hunting only.

A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.

B) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.

C) All hunters using this area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.

D) Upon the completion of hunting, hunters must report to the check station within one hour.

E) Fishing is prohibited in the impoundment areas during the waterfowl season.

F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through December--31 end of goose season.

G) No person shall trespass on the Marion-Pickrel Waterfowl Refuge during the period from October 1 through the last day



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of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.

- H) Walk-in area legal opening until 12:00 noon during duck season. When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide shooting hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.

- I) No hunting permitted from the walk-in area subimpoundment levee.

## 2530) Sangchris Lake State Park

- A) Hunting hours are legal opening until 12:00 Noon, except during the firearm deer season hunting hours shall cease at 10 a.m. and waterfowl hunters must be off the lake by 11 a.m. and during the last 3 days of Canada goose season, hunting hours will close at statewide closing. No waterfowl hunting the 1st day of firearm deer season in November or the 1st day of firearm deer season in December.

- B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to shooting hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first-come, first-served basis. (During that portion of the goose season which follows the duck season, the west arm blind sites only and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)

- C) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

- D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.

- E) There will be a duly posted waterfowl refuge. ~~These~~ area areas shall be closed to all boat traffic except as allowed in Section 590.60(b)(25)(K) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.

- F) ~~A waterfowl refuge will be located on State land between the east and west arms of the lake. Additional refuges are located on waters from the junction of the center arm and the east arm of the lake north to the refuge area. The area adjacent to the power plant is utilized as a fly ash pond and the south portion of the west arm shall be duty designated as inviolate areas.~~

- GF) No more than 4 persons shall occupy a blind at one time.

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- HG) Waterfowl hunting shall be permitted on State leased lands and waters in the Sangchris Lake State Park area, except in duly posted refuge areas, developed recreation areas, a minimum of 300 yards from all high lines and 500 feet from construction or industrial sites. The center arm of the lake shall be closed to all waterfowl hunting.

- HH) Blind sites shall be determined by the Department of Conservation and marked with a numbered stake. When it is deemed necessary, the Department of Conservation shall remove, move or close blind sites in order to carry out the operations of the overall management program.

- HI) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

- KJ) Access to blind sites shall be by boat only and from designated boat launch sites, ~~the West Hill Boat Launch and the East Harbor Boat Launch~~. A corridor located north of the Middle Peninsula along the southern edge of the existing refuge will be established to provide access to either arm of the Lake.

- KK) All hunting must be from 1 portable blind or 1 anchored portable boat blind located within a numbered cove and between the assigned numbered stakes. Portable blinds or boat blinds must have been completed, including final brushing, before entering the area, and removed at the end of each hunting day. Cutting of natural vegetation for any purpose is unlawful.

- ML) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

- NM) No pits or blinds shall be built on State leased or Commonwealth Edison land.

- ON) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.

- PO) Corridor - Water travel lane, during waterfowl season only, for boating back and forth to blind sites.

- QP) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.

- RQ) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

- SR) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Conservation will close the lake area to all fishing and all boating activity except for non-water hunting programs.

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- 2631) Shawnee National Forest, Upper and Lower Bluff Lake Lakes**  
 A) Goose hunting is prohibited.  
 B) Shooting Hunting hours: legal opening until noon.  
 C) No permanent blinds or other structures may be constructed on the site.
- 2732) Shawnee National Forest, LaRue Scatters**  
 A) All hunting must be by walking in or in boats without motors.
- B) Shooting** Hunting hours for all species in this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds** shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- 2833) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)**  
 A) All hunting must be by walking into the area.  
 B) Shooting Hunting hours for all species on this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with Statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds** shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- D) Each hunting party** must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- E) No person** shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.
- 2934) Stephen A. Forbes**  
 A) Daily hunting hours are legal open to 1:00 p.m.  
 B) On the main lake hunting is allowed from a boat blind only and must be within 100 yards of a staked location.  
 C) Only walk-in hunting is allowed in the sub-impoundment. Hunting must occur within 100 yards of a staked location.  
 D) Hunting shall be allowed on a first-come, first-served basis. All hunters must use 12 decoys, minimum.
- 35) Sunspot Mine (Schuyler and Fulton Counties)**  
 A) No permanent blinds may be built.  
 B) Temporary blinds only, 200 yards apart.
- 3636) Ten Mile Creek Fish and Wildlife Area**  
 A) Permit required.  
 B) All blinds must be of portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.  
 C) No goose pits or permanent blinds shall be dug or built on State lands.  
 D) The distance between waterfowl hunting parties or blind sites shall be no less than 200 yards.

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- E) Waterfowl** hunters must obtain permit prior to hunting.  
**F) Each hunting party** is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- G) Areas designated as REFUGE** are closed to all access during the Canada Goose Season only. REFUGE designation has been given to all land in Unit I, and the 260 acre tract at the Western edge of Unit II.
- H) After the close of the duck season, goose hunters** in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.
- 3137) Union County (Firing Line Waterfowl Management Area)**  
 A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.  
 B) This area shall be closed at 12 noon during the goose season.  
 C) Hunters may not possess more than 5 shells for each Canada Goose allowed in the daily bag.  
 D) Waterfowl hunting from staked sites only.
- (Source: Amended at 17 Ill. Reg. 16443, effective September 27, 1993)

## Section 590.70 Ohio River

- a) Waterfowl hunting** will be allowed on the Ohio River bordering Illinois. Season dates and bag limits are governed by the regulations which apply to the Southern Zone (590.10)(j)(3)).
- b) The following areas of the Ohio River** shall be designated as waterfowl refuges and shall be closed to all hunting from October 15 through March 15:
- 1) The Ohio River from Smithland Lock and Dam upstream to a power line crossing the river at approximately River Mile 911.5 and Stewart Island.
  - 2) The Ohio River in the vicinity of the Ballard Wildlife Management Area located in Ballard County, Kentucky, from a point fifty yards from Dam 53, downstream to a line from the confluence of Hodges Creek to a point fifty yards downstream of the downstream boundary of the Ballard Wildlife Management Area.
- (Source: Added at 17 Ill. Reg. 16443, effective September 27, 1993)

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1) HEADING OF THE PART: Forestry Development Cost-Share Program

2) CODE CITATION: 17 Ill. Adm. Code 1536

3) SECTION NUMBERS: ADOPTED ACTION:

1536.10 Amendments  
1536.25 Amendments  
1536.30 Amendments  
1536.40 Amendments  
1536.50 Amendments  
1536.60 Amendments  
1536.65 New Section  
1536.70 Amendments  
1536.80 Amendments  
1536.90 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by the Illinois Forestry Development Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 9101 et seq.) [525 ILCS 15/1 et seq.]

5) EFFECTIVE DATE OF AMENDMENTS: September 27, 1993

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 21, 1993

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: June 4, 1993, 17 Ill. Reg. 8107

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In the Authority Note, "15/1 et seq." was removed from the statutory citation.

In Section 1536.10(h), "15/1" was removed from the statutory citation.

The source note for Section 1536.25, was changed to read "Amended".

In Section 1536.40(d), the comma following "constructed" was changed to a semi-colon.

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In Section 1536.65(c), the semi-colon following "mowing" was changed to a comma.

In Section 1536.65(c)(3), the comma following "used" was changed to a semi-colon.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF AMENDMENTS: Changes to this Part include cost increases for some practices and adjustments to make FDA cost-shares compatible with the Federal Stewardship Incentives Program.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:



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## TITLE 17: CONSERVATION

## CHAPTER I: DEPARTMENT OF CONSERVATION

## SUBCHAPTER d: FORESTRY

## PART 1536

## FORESTRY DEVELOPMENT COST-SHARE PROGRAM

Section	
1536.10	General
1536.20	Eligibility
1536.25	Preparation of Forest Management Plans
1536.30	Planting Trees
1536.40	Fencing to Protect Forests and Plantations
1536.50	Improving a Stand of Forest Trees
1536.60	Firebreaks to Protect <u>Forest Woodlands</u> Forests
1536.65	Reducing Wildlife Damage
1536.70	Site Preparation for Natural Regeneration
1536.80	Appeal
1536.90	Information
1536.100	Penalty

**AUTHORITY:** Implementing and authorized by the Illinois Forestry Development Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 9101 et seq.) [525 ILCS 151].

**SOURCE:** Adopted and codified at 8 Ill. Reg. 13689, effective July 25, 1984; amended at 9 Ill. Reg. 14286, effective September 5, 1985; amended at 10 Ill. Reg. 6838, effective April 3, 1986; amended at 10 Ill. Reg. 18168, effective October 15, 1986; amended at 11 Ill. Reg. 18632, effective November 2, 1987; amended at 14 Ill. Reg. 18244, effective October 29, 1990; amended at 17 Ill. Reg. 16485, effective September 27, 1993.

**Section 1536.10 General**

The purpose of this program is to encourage the planting, tending and regeneration of forests.

- Timber growers and/or landowners participating in this program may also be eligible for federal forestry cost-share programs administered by the United States Department of Agriculture (U.S.D.A.) Agricultural Stabilization and Conservation Service.
- An application for the cost-shared practice must be completed by the timber grower and/or landowner and submitted to the Illinois Department of Conservation's District Forester, hereinafter referred to as the District Forester. The requirements for installation of the practice will be described in the approved management plan. The cost-shared practice can not be started until the application is approved by the District Forester. Participation in the Cost-Share Program will be based on a first-come, first-served basis--subject to the availability of funds.
- The payment for the approved cost-shared practice will be based on the

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landowner's documentation of cost to install the practice and will not exceed the established cost-share rates and not to exceed amounts per unit. A sample cost-share documentation format is shown in Exhibit A.

d) A practice cannot be repeated on the same land within a 10 year period and must be effective for a minimum of 10 years, except as allowed under Sections 1536.30 and 1536.70.

e) Property upon which cost-shared practices are installed must be protected from destructive fires wildlife and grazing by measures set forth in the approved forest management plan, hereinafter called the plan.

f) Chemicals used in performing this practice must be federally, state and locally registered and must be applied strictly in accordance with authorized registered uses, directions on the label, and other Federal and State policies and requirements.

g) Timber growers who have conducted a timber sale within the preceding fiscal year of this cost-share agreement will have their cost-share increased by an amount not to exceed 50% of the harvest fee paid by the timber grower. Therefore, timber growers will receive the percentage of cost-share established for each practice throughout this Party plus 50% of the harvest fee paid for a combined total not to exceed 100% of the cost of the approved practice. If a timber sale has occurred within 2 State of Illinois fiscal years prior to the approval of a cost shared practice, then timber growers will have their cost-share increased by an amount not to exceed 50% of their harvest fee. The combined payment for the practice and the harvest fee rebate shall not exceed 100% of the timber grower's practice cost. Timber growers who sold timber based upon provisions of the plan shall have priority for harvest fee rebates.

h) When Federal or other cost-share program practices are utilized concurrently with the Illinois Forestry Development Act (IFDA) (Ill. Rev. Stat. 1989 1991, ch. 96 1/2, par. 9101 et seq.) [525 ILCS 151], the cost-share rate shall equal the rate of the other concurrent cost-share program in effect in the county where the practice is installed. The IFDA cost-share rate and the "not to exceed per practice unit amount" (see Section 1536.10(d)), shall be adjusted proportionately from the standard 80% rate now in effect. Also see Section 1536.30(b).

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

**Section 1536.25 Preparation of Forest Management Plans**

This practice provides the landowners with another opportunity to obtain professional conservation assistance in plan preparation.

- This cost-share practice is valid only when a landowner seeks-to-pay pays another party for preparation of a plan.
- A cost-share application for this practice must be submitted and approved by the District Forester prior to initiation of a plan for

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**development.** However, for all other cost-share practices, an approved plan must be in effect prior to submission of a cost-share application.

- c) The forest management plan ~~being-prepared~~ must meet the conditions, requirements, standards and specifications as contained in Sections 9101 et seq. of the IFDA and 17 Ill. Adm. Code 1537 and this Part. Additional information to clarify the requirements mentioned above are listed in two publications published by the Illinois Technical Forestry Association: "Recommended Silvicultural and Management Practices for Illinois Hardwood Forest Types" (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61801, (no later editions or amendments are included) and "Forest Planting Practices for Illinois" (1974), Illinois Technical Forestry Association, Inc., c/o Department of Forestry, 211 Mumford Hall, Urbana, IL 61081, (no later editions or amendments are included).

- d) Components eligible for cost-sharing can include: reconnaissance, travel costs, secretarial, mailing and telephone costs, forest inventory, data analysis and ~~composing-plans~~ plan writing.

- e) Reconnaissance notes; field data; inventory per acre; and per stand results; and analysis of forest inventory must be submitted with the plan, to the District Forester.

- f) All of the land in a county owned by the same individual(s), partnership(s) or corporations(s) shall be included in a single plan. Amendments of plans to increase acreage during the 10 year lifespan of a plan shall be cost-shared as described below.

- g) Cost-share rate for plans of silviculture and management on existing forest stands shall be ~~80%~~ 75% of the owner's cost not to exceed: \$5.00 per acre for 5 to 50 acres; plus \$3.00 per acre for each additional acre ~~more-than-50-acres-but-less-than-100~~ from 51 acres through 100 acres; and \$2.00 per acre for each additional acre equal to or greater than 101 acres.

- h) Cost-share rate for reforestation and afforestation plans as defined in 17 Ill. Adm. Code 1537 shall be ~~80%~~ 75% of the landowner's cost not to exceed \$3.00 per acre.

- i) Fractional acres for all plans shall be rounded to the nearest acre for cost-share payment as follows: .01 to .49 acres will be rounded down and .50 to .99 shall be rounded up.

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

Section 1536.30 Planting Trees

The purpose of this practice is to establish a stand of forest trees for timber production purposes and compatible multiple uses ~~to-preserve-and-improve-the-environment~~ and to provide general environmental benefits.

- a) The District Forester shall determine the suitability of the land for site preparation and tree planting, considering soil erodibility and

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the economic feasibility of soil stability practices such as timing of the practice and ground cover requirements.

- b) Cost-share rates for practices under Section 1536.30 will be 50% of the actual cost not to exceed the adjusted maximum fixed rate per acre for those lands which are accepted under the U.S. Department of Agriculture, Conservation Reserve Program. The maximum fixed rate is determined by taking ~~80%~~ 75% of the average cost per acre within the State for eligible practices under this Part. The adjusted maximum fixed rate is determined by taking 50% of the average cost. All other lands not enrolled in the Conservation Reserve Program or other cost-share programs will be eligible for the ~~80%~~ 75% cost-share rate as established under this Section and Section 1536.10(h).

- c) Cost-sharing is not authorized for:  
1) planting trees on less than 1 acre or planting less than ~~302~~ 135 trees per acre.

- 2) planting or culture of fruit or nut orchards, Christmas trees or planting for ornamental or landscaping purposes.

- ~~3) measures-to-protect-seedlings-from-wildlife-destruction.~~

- ~~4) irrigation of planted trees.~~

- d) Cost-Share Rates/Specification:

- 1) Site Preparation - ~~80%~~ 75% of the actual cost not to exceed a variable amount ranging from \$25 to \$150 per acre, as determined by the plan preparer and approved by the District Forester. The plan preparer conducts a careful field inspection of current vegetation cover on the site to be prepared, and then uses categories and amounts in subsection (b) to make a determination about the cost-share rate per acre.

- A) Cost-share categories and corresponding variable cost-share amounts shall be prorated per acre, per category, and shall be approved by the District Forester.

- B) Cost-share categories and variable Cost-share payments follow:

Category	Variable Cost-Share Amounts Not to Exceed, Per Acre
i) Vegetation or heavy residues which will cause some difficulty in normal planting.	\$25.00
ii) Sixty percent (60%) or more of area in sod and broad leaved herbaceous plants. Or to forty percent (40%) of area in light woody cover, stems two inches (2") or less diameter at ground line.	\$50.00
iii) More than forty percent (40%) of area occupied by woody vegetation, briars, vines, or woody stems two inches (2") diameter or less at ground line, but can include up to twenty-five (25) stems per	

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feet apart or more in openings which receive partial or full direct sunlight.  
iii) Variations in these spacing standards may be made in accordance with written recommendations approved by the District Forester.

E) Stocking and replanting requirements:

- i) At least 300 of the planted trees, per acre, must be maintained throughout the practice lifespan.
- ii) Cost-share assistance for replanting will be available where losses are due to unusually-dry-periods natural causes, such as, heat, drought, flood, hail, and similar occurrences, if 70% of a stand is not obtained, or if a stand deteriorates to less than 70% within two growing seasons ~~from planting~~.

3) Direct Seeding Component

The purpose of this practice is to extend limited supplies of plant materials and thereby to increase forestation.

- A) Direct seeding may be used in lieu of seedling planting, when approved by the District Forester as part of a forest management plan--or-as-amended.

- B) As references for standards use: "Direct seeding of Southern Oaks - A PROGRESS REPORT, by Robert L. Johnson and Roger M. Krinard, Southern Hardwoods Laboratory, Stoneville, MS, Forest Service, USDA, (1988) (no later editions or amendments are included); and the guidelines offered in Silvics of Forest Trees of the United States (1974), Agriculture Handbook 271, Forest Service, USDA Washington, DC 20250. (No later editions or amendments are included).

- C) This cost-share practice may be attempted a second time if through no direct fault of the landowner (i.e. drought, tornado, etc.) less than 150 seedlings of acceptable growing stock per acre survive after one full growing season.

- D) If, after 2 full growing seasons there are less than 150 seedlings of acceptable growing stock per acre, no further attempts to direct seed shall be made. However, tree planting may be done per rules outlined in subsection (2).

E) Cost-share Rate and Specifications

- i) This practice shall pay ~~80%~~ 75% of the owner's cost not to exceed \$40 \$60 per acre for seed collected or purchased plus labor and any machinery use.
- ii) Seed ~~sowed~~ shall be local source, within 25 miles of the seeding site. Or, if local seed is not available, seed shall be collected from a zone within 100 miles north of the site or within 200 miles south of the site.
- iii) Measures to protect seed from predator pilferage shall be required when predator pilferage is identified as a ~~problem--but-cannot-be-cost-shared~~.
- iv) Site preparation measures are ~~encouraged--but-may--not~~

acre greater than two inches (2") at ground line. \$75.00

- iv) More than forty percent (40%) of area occupied by woody vegetation greater than two inches (2") diameter at ground line; or more than twenty-five (25) stems per acre greater than two inches (2") diameter at ground line. \$150.00

- C) This is limited to areas having undesirable vegetative growth (such as grass sod, perennials and annual broadleaved plants and trees or brush of no economic value) which will be replanted to desirable tree species.

- D) Measures necessary to minimize erosion must be undertaken and plantings must be according to prescribed standards set forth in the approved forest management plan. Measures may include, but are not limited to, hand planting, machine planting on contour, establishment of temporary herbaceous cover, the use of herbicides for minimum disturbance of established cover and similar accepted practices as set forth in the forest management plan.

- E) Removal may be undertaken mechanically with machinery including all normal farm tillage implements, chopping or sawing.

- 2) Tree Planting (Trees and Labor) - ~~80%~~ 75% of the actual cost not to exceed \$70 for no-cost planting stock or ~~\$170~~ \$210 for purchased planting stock, on a per acre basis.

- A) Selected tree species and seed sources to be planted must be in accordance with the forest-management-plan-approved-by-the-District-Forester plan.

- B) Plantings must be made in accordance with the forest management-plan-as-approved-by-the-District-Forester plan. Trees must be firmly planted at the proper depth. Tree planting machines, augers or hand tools may be used.

- C) At least 90% of the conifer stock must be not less than 3/32 inch in caliper at 1 inch above the root collar (nursery soil line). At least 90% of the hardwood stock shall be 7/32 inch caliper at 1 inch above the root collar (nursery soil line). The-top-(crown/stem)-and-bottom-(roots)-being-in-balance-with-a-root/shoot-ratio-of--1:1--or--1:1.5. In addition to the standards above, hardwood stock purchased from private nurseries shall be ordered from the 12-18 inch category as described in the nursery's catalog or other written description.

- D) Spacing requirements are as follows:

- i) Plantings on open land are to be made 6 to 12 feet apart in rows 6 to 12 feet apart. No less than 302 435 or more than 1000 trees are to be planted per acre.
- ii) Interplantings within wooded areas are to be spaced 6



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~~be-feasible-on-sites-which-must-be-hand-seeded best~~  
done before direct seeding. Additional treatments to  
introduce adequate sunlight and to reduce competition  
may be needed.

- v) ~~Direct-seeding-may-require-up-to-10-months-of~~  
~~practical-completion-status-before-satisfactory~~  
~~cost-share-payment-can-be-approved-by-the-District~~  
~~Forester.~~
- vi) ~~Direct-seeding-shall-not-be-cost-shared-when-attempted~~  
~~under-a-closed-forest-crown-canopy.-At-least-40% of~~  
~~available-sunlight-must-reach-the-forest-floor-during~~  
~~the-growing-season.~~

v) Overstory removal may be required following  
establishment of seedlings - saplings.

- 4) Control of Undesirable Vegetation With Herbicides or ~~mulching~~  
Mulching - ~~00%~~ 75% of the actual cost not to exceed \$25.00 per  
acre with herbicides; \$50 per acre with mulch.

A) The practice is limited to plantings that conform to  
specifications cited in Section 1536.30.

B) Application of herbicides may be in either the liquid or  
granular form and may be pre-emergents or post-emergents or  
combinations of these types as approved by the District  
Forester. Application may be made as pre-plant, post-plant  
or at time of planting.

C) Organic mulches may be used in combination with herbicides  
or in lieu of herbicides and must be used if required in the  
approved management plan, to qualify for site preparation  
and planting payments. Minimum per seedling mulched area is  
12 square feet with an initial depth of 4 inches. Mulched  
areas must be pretreated by removing existing vegetation to  
mineral soil prior to applying the mulch.

D) Herbicide or mulching applications must be made, if required  
in plan, to qualify for site preparation and planting  
payment.

E) Treatments for control of undesirable vegetation will be  
cost-shared for a second and third year as prescribed in a  
~~forest-management~~ the plan and approved by the District  
Forester.

(Source: Amended at 17 Ill. Reg. 16485, effective  
September 27, 1993)

## Section 1536.40 Fencing to Protect Forests and Plantations

- a) The practice is limited to building permanent fences needed to protect  
forest stands ~~approved-by-the-District-Forester.~~
- b) ~~the-one-rod-restriction-applies-to-the-woven-wire-and-barbed-wire~~  
~~fences-only.~~ The distance between posts or live trees must not exceed  
1 rod (16.5 feet). Limited use of live trees is permitted, provided

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2" x 4" nailing strips of durable wood are used between the wire and  
the tree.

c) No assistance will be given for ~~maintaining-or-replacing-an-existing~~  
~~structure-for~~ boundary fences or ~~and-road~~ fences adjacent to roads.

d) Cost-Share Rates/Specification - The ~~cost-shared-rates-will-vary~~  
~~according-to-the~~ cost-share amounts vary by type of fence  
constructed; however, the rate will be ~~00%~~ 75% of actual cost not to  
exceed ~~the-rate-listed-below~~ these limits:

1) A woven wire fence must consist of at least a 26 inch woven wire  
with at least two strands of barbed wire on top - ~~\$10-00~~ \$11.00  
per rod.

2) A barbed ~~wired~~ wire fence must be ~~equal-to~~ at least a  
~~three-strand-barbed-wire-structure~~ three strands - ~~\$10.00~~ per  
rod.

3) If other fence materials are used, all weather wood or native  
lumber highly resistant to decay may be substituted for barbed  
wire if required for certain domestic animals - ~~\$9-00~~ \$10.00 per  
rod.

3) A suspension fence will consist of at least four strands of  
barbed wire with the distance between posts not to exceed 100  
feet and sufficient wire spacers to prevent sagging - ~~\$3-50~~ \$4.50  
per rod.

4) A high-tensile fence will consist of at least 6 strands of wire  
with the distance between posts not to exceed 100 feet with  
sufficient droppers to maintain proper wire spacing - ~~\$6-50~~ \$7.50  
per rod.

(Source: Amended at 17 Ill. Reg. 16485, effective  
September 27, 1993)

## Section 1536.50 Improving a Stand of Forest Trees

Profitable production and environmental enhancement will result from the  
application of proper methods of thinning or releasing of desirable crop trees;  
removal of residual trees in regeneration harvests; and by cutting of  
designated vines attached to desirable crop trees. Some vines not on crop  
trees shall be retained for wildlife benefit.

a) ~~timber-stand-improvement-(50%)~~ cost sharing will not be approved  
for areas less than one acre.

b) Improvement measures shall be carried out in such a manner as to  
improve or protect the quality of the environment, especially wildlife  
habitat, as described in the ~~forest-management~~ plan.

c) Cost-Share Rates/Specifications

1) Improving a Stand of Forest Trees - ~~00%~~ 75% of actual cost not to  
exceed ~~\$4-00~~ \$41.00 per acre.

A) The District Forester must give prior approval of the ~~area~~  
~~on-which-the-practice-is-to-be-carried-out~~ practice area and  
of the methods to be ~~followed~~ used based upon the density  
and condition of the trees, and economic feasibility of the

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENT(S)

practice.

B) Work shall be done by cutting, girdling, and herbicide treatment of the surplus, diseased, cull or weed trees and by cutting designated vines attached to desirable crop trees. Thinning should release desirable tree species so as to leave per acre an adequately stocked stand composed predominately of high ranked timber species, well distributed, as described in the ~~forest-management~~ plan. Stocking guides and species rank shall be determined by use of the appropriate table in "Recommended Silviculture and Management Practices for Illinois Hardwood Forest Types", Illinois Technical Forestry Association (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61081 (no later editions or amendments are included).

C) Herbicide treatment of stumps ~~may~~ be omitted when crop trees released are more than 20 feet tall, ~~may-be-omitted~~. Herbicide treatment may also be omitted, if a double girdle is utilized. Double girdling shall be done only when stump sprouting will not be a serious problem. This method is described in Central Hardwood Notes, 6.10, August 1989 Northeastern Area, State and Private Forestry. USDA Forest Service. Both exceptions above must be approved in writing by the District Forester. All other TSI treatment methods require use of approved herbicides.

D) Harvesting practices and silvicultural systems as prescribed in the ~~forest-management~~ plan ~~approved-by-the-District Forester~~ must be followed.

E) Cost-Share assistance will not be given for any ~~area~~ acre from which commercial products are sold or traded in the process of carrying out the timber stand improvement practices.

2) Pruning Crop Trees - ~~80%~~ 75% of actual cost not to exceed \$44-99 \$58.00 per acre.

A) The District Forester must give prior approval ~~to-the-area on-which-the-practice-is-to-be-carried-out-and-the-crop of the practice area~~. Crop trees must be marked or otherwise designated ~~on-which-the-work-is-to-be-performed~~ and the ~~method methods to-be-used~~ must be described in writing.

B) In coniferous stands, the trees must have a minimum total height of 18 feet. All dead branches and all live branches up to one-half the total height of the trees must be pruned. Pruning to a total height of 17 feet is required where the trees are tall enough to meet this requirement. Not more than 100 final coniferous crop trees per acre, well distributed throughout the stand will be considered in determining the cost-share payment.

C) In deciduous stands, pruning to total height of 17 feet is required where trees are tall enough to meet the

## DEPARTMENT OF CONSERVATION

## NOTICE OF ADOPTED AMENDMENT(S)

requirement. Pruned trees shall retain 40% to 50% of total height as live crown. Deciduous stands must have attained a minimum height of 12 feet to effect a minimum pruning height of 6 feet. Not more than 100 well distributed desirable crop trees per acre shall be selected and fine hardwood (white and red oak, black walnut, etc.) species will be given prime consideration. In order to reduce the risk of decay, ~~cost-must-be-taken-that-no~~ prune no limbs over 3 inches in diameter ~~are-cut~~.

D) All pruning must be as close to the stem as possible without disturbing the branch bark ridge and branch collar.

E) Corrective pruning to influence tree form may be required in the plan; but such pruning shall not be cost-shared.

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

## Section 1536.60 Firebreaks to Protect Farm-Woodlands Forests

The purpose of this practice is to provide a practical and low cost way of affording protection to forests from damage by wildfire.

a) The lower branches of trees adjacent to firebreaks must be pruned to increase the effectiveness of the practice.

b) Cost-Share Rates/Specifications

1) Firebreak construction - ~~80%~~ 75% of actual cost not to exceed \$1-95 \$1.50 per rod.

2) Firebreaks for the area shall be cleared to a minimum of 1 rod ~~(16-5-feet)-in width~~. (If erosion is a problem, place firebreaks on the contour, or construct the appropriate number of water bars.)

3) Firebreaks must be disced at least twice annually to keep vegetation from accumulating or as indicated in the ~~approved forest-management~~ plan.

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

## Section 1536.65 Reducing Wildlife Damage

Wildlife damage control is necessary at times to protect the investment in tree planting, direct seeding, or natural regeneration.

a) This practice is limited to situations where the need for damage control is evident or highly probable based on wildlife population. Consultation with IDOC District Wildlife Biologists is advised.

b) In addition to cost-share practices, other strategies to control wildlife damage must be included in the Management plan and must be implemented with the cost-share practice.

c) Strategies can include: Legal hunting, providing alternate habitats, planting of species not favored by a given wildlife species,

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eliminating mowing, or planting a companion species.

- 1) Tree shelters - 75% of the actual cost not to exceed \$100 per acre. The maximum number of tree shelters per acre is 25. 4 foot tall shelters, or a proportional number for other sizes. The recommendation in the Plan as approved by the District Forester shall be followed. Requirements include:

A) Tree shelters shall be evenly distributed throughout each acre.

B) Shelters shall be maintained as installed for the life of the shelter. Shelters may be moved to other seedlings only if the original tree is dead.

C) Durable rot resistant stakes must be used.

D) Nylon mesh caps or other approved barriers may be needed to prevent death of birds.

E) For protection from deer, 4 foot shelters meet minimum requirements.

- 2) Electric Fencing - 75% of the actual cost not to exceed \$0.25 per foot. The purpose is to repel deer from forestation or natural regeneration sites, as follows:

A) VGR type fence wire, stainless steel enclosed in plastic is the preferred type. Other wire may be used, but must be marked with bright color at minimum intervals of 25 feet.

B) For maximum benefit the fence must be charged throughout the year so as to affect deer behavior.

C) The service life of the fence shall be determined in the plan or by separate written prescription.

- 3) Repellants - 75% of the actual cost not to exceed \$5.00 per acre to protect forestation or natural regeneration sites.

A) Either scent or taste repellants may be used; the Plan shall prescribe specific types.

B) Label directions on approved products must be followed. Renewal applications must be made in a timely manner, per the label.

C) The primary treatment shall be done by treatment of the central leader of the seedling.

(Source: Added at 17 Ill. Reg. 16485, effective September 27, 1993)

## Section 1536.70 Site Preparation for Natural Regeneration

The purpose of this practice is to establish a stand of high value forest species through natural regeneration for timber production purposes and to protect and improve the environment. Seventy-five percent of the regeneration goal--must--be--oak--species--on--upland--forest--stands For guidelines on species preference, refer to the ITFA Guide, cited previously, in Section 1536.25(c).

- a) Cost-sharing is not authorized for areas of less than one acre.  
b) Cost-sharing is authorized for one additional regeneration treatment, by use of seed or seedlings on the area originally site prepared, if

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by uncontrollable circumstances, such as weather related problems, etc., natural regeneration fails to become established to the required stocking level.

c) Cost-Share Rates/Specification

- 1) Site preparation for natural regeneration - 80% of actual cost not to exceed \$25, \$50, \$75, or \$150 per acre determined by the District Forester using the cost-share categories as described in Section 1536.30(1)(B)(i) through (iv), as guidelines to determine an appropriate maximum cost-share amount.

- 2) The goal is to obtain ~~conditions~~ a 60-80% stocking level whereby a minimum of 20% to 40% of the available light reaches the forest floor, and other site factors are modified to enhance regeneration, by means of: reduction or elimination of competing vegetation, including unmerchantable or undesirable trees and brush, discing or tillage, use of foliar, cut surface, injected herbicides, mechanical removal of shallow rooted species, prescribed burn, and other measures as prescribed in the forest management plan.

- 3) A complete written prescription, in the ~~plan~~ or submitted as an addendum ~~to the forest-management plan~~, must be approved by the District Forester prior to initiation of this practice. The prescription shall address the process outlined in "Regenerating Red Oaks" by Rod Jacobs, Silviculturalist, U.S. Forest Service, State and Private Forestry, St. Paul, Minnesota (1987) (no later editions or amendments are included). The prescription shall also address the "Elements of a Silvicultural Prescription" and the appropriate "Silvicultural Systems and Regeneration Methods" described in the "FORESTRY HANDBOOK" 2nd Edition, Edited by Karl F. Wenger, for the Society of American Foresters, 5400 Grosvenor Lane, Washington DC 20014 (1984) (no later editions or amendments are included).

- 4) Creation of suitable soil conditions for establishment of seedlings of desired species is particularly crucial for oak species. A reasonable expectation of seed deposition on the area to be regenerated must be imminent and abundant before site preparation is performed.

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

## Section 1536.80 Appeal

- a) Any timber grower ~~and/or landowner~~ whose plan or practice is not approved by the District Forester may appeal to the Regional Review Committee pursuant to 17 Ill. Adm. Code 2530. The Regional Review Committee is composed of the Regional Administrator, a District Forester from another district in the Region and the ~~forest-management program manager~~ Forest Management Program Manager.
- b) The appeal must be made within 30 days from the date that the plan or



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practice was not-approved-for-cost-sharing disapproved by writing to the address in 1536.90.

c) The Regional Review Committee will conduct a meeting to receive written and oral arguments of the applicant and to reconsider the forest management plan and cost-share practices.

d) The Regional Review Committee will notify the applicant in writing within 30 days of the meeting date stating the reasons for which the original decision is upheld or reversed.

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

Section 1536.90 Information

Anyone wishing additional information concerning this Part, may contact the Department-of-Conservation-at--the--following--address: Administrator, Forest Management Programs.

Department of Conservation  
Division of Forest Resources  
524-S--Second-Street P.O. Box 19225  
Springfield, Illinois 62701-1707 62794-9225

(Source: Amended at 17 Ill. Reg. 16485, effective September 27, 1993)

- 1) Heading of Part: Freedom of Information
- 2) Code Citation: 2 Ill. Adm. Code 1551
- 3) Section Number: 1551. Appendix B Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Freedom of Information Act, 5 ILCS 140/1 *et seq.* and 5 ILCS 100/5-15.
- 5) Effective Date of Rules: September 28, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these rules contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: September 1, 1993
- 9) Notice of Proposal Published in Illinois Register: Not applicable
- 10) Has JCARE issued a Statement of Objections to this rule: Not applicable -- the Amendment is an internal matter under Title 2
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCARE been made as indicated in the agreement letter issued by JCARE? Not applicable. See #10 above.
- 13) Will the rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this part? No
- 15) Summary and Purpose of Rule: Recalculates Costs for paper copies of records.

## STATE BOARD OF ELECTIONS

## STATE BOARD OF ELECTIONS

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding these adopted rules shall be directed to:

A. L. ZIMMER, General Counsel  
State Board of Elections  
James R. Thompson Center  
100 W. Randolph St. Suite 14-100  
Chicago, IL 60601  
(312) 814-6440

The full text of the Adopted Amendments begins on the next page:

Section	Purpose and Applicability
1551.1	Definitions
1551.20	Requests for Records
1551.30	Response to Request for Public Records
1551.40	Appeal of a Denial
1551.50	Executive Director's Response to Appeal
1551.60	Inspection of Records at Board Offices
1551.70	Copies of Public Records
1551.80	General Materials Available from the board
1551.90	Request for Public Records
APPENDIX A	Fee Schedule
APPENDIX B	

AUTHORITY: Implementing and authorized by the Freedom of Information Act (Ill. Rev. Stat., 1984 Supp., ch. 116, par. 201 et seq.) and Section 401 of the Illinois Administrative Procedure Act (Ill. Rev. Stat., 1983, ch. 127, par. 1004.01); 5 ILCS 140/1 et seq. and 5 ILCS 100/5-15.

SOURCE: Adopted at 9 Ill. Reg. 15869 effective October 8, 1985, amended at 17 Ill. Reg. 16500, effective September 28, 1993.

STATE BOARD OF ELECTIONS

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Section 1551. Appendix B FEE SCHEDULE

TYPE OF DUPLICATION

PER COPY CHARGE

Paper Copy from Paper Original  
Diao Copy of Microfiche - per sheet  
Paper Copy from Microfiche Original - per page

\$ 0.10 025

0.50

0.50

Certification of Records.

\$ 2.00

Diskettes, Computer tapes, etc.

Actual Cost incurred by the Board

Fees are subject to change depending upon the actual costs.

(Source: Amended at 17 Ill. Reg. 16500, effective September 28, 1993)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Definitions and General Provisions

2) Code Citation: 35 Ill. Adm. Code 211

3) Section Numbers: Adopted Action:

Amended  
Repealed

Added

Added

Added

Added

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## POLLUTION CONTROL BOARD

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211.2590, 211.2650, 211.2670 Added  
 211.2690, 211.2710, 211.2730 Added  
 211.2750, 211.2770, 211.2790 Added  
 211.2810, 211.2830, 211.2850 Added  
 211.2870, 211.2890, 211.2910 Added  
 211.2930, 211.2950, 211.2970 Added  
 211.2990, 211.3010, 211.3030 Added  
 211.3050, 211.3070, 211.3090 Added  
 211.3110, 211.3130, 211.3150 Added  
 211.3170, 211.3190, 211.3210 Added  
 211.3230, 211.3250, 211.3270 Added  
 211.3290, 211.3310, 211.3330 Added  
 211.3350, 211.3370, 211.3390 Added  
 211.3410, 211.3430, 211.3450 Added  
 211.3470, 211.3490, 211.3510 Added  
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 211.3890, 211.3910, 211.3930 Added  
 211.3970, 211.3990, 211.4010 Added  
 211.4030, 211.4050, 211.4070 Added  
 211.4090, 211.4110, 211.4130 Added  
 211.4150, 211.4170, 211.4190 Added  
 211.4210, 211.4230, 211.4250 Added  
 211.4270, Added  
 211.4290, 211.4310, 211.4330 Added  
 211.4350, 211.4370, 211.4390 Added  
 211.4410, 211.4430, 211.4450 Added  
 211.4470, 211.4490, 211.4510 Added  
 211.4530, 211.4550, 211.4590 Added  
 211.4610, 211.4630, 211.4650 Added  
 211.4670, 211.4690, 211.4710 Added  
 211.4730, 211.4750, 211.4770 Added  
 211.4790, 211.4810, 211.4870 Added  
 211.4890, 211.4910, 211.4930 Added  
 211.4950, 211.4990, 211.5030 Added  
 211.5050, 211.5070, 211.5090 Added  
 211.5110, 211.5130, 211.5150 Added  
 211.5170, 211.5185, 211.5190 Added  
 211.5210, 211.5230, 211.5250 Added  
 211.5270, 211.5310, 211.5330 Added  
 211.5350, 211.5370, 211.5410 Added  
 211.5430, 211.5450, 211.5470 Added  
 211.5490, 211.5510, 211.5550 Added

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211.5570, 211.5590, 211.5610 Added  
 211.5630, 211.5650, 211.5670 Added  
 211.5690, 211.5710, 211.5730 Added  
 211.5750, 211.5770, 211.5790 Added  
 211.5810, 211.5830, 211.5850 Added  
 211.5870, 211.5890, 211.5910 Added  
 211.5930, 211.5950, 211.5970 Added  
 211.5990, 211.6010, 211.6030 Added  
 211.6050, 211.6070, 211.6090 Added  
 211.6130, 211.6150, 211.6190 Added  
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 211.6290, 211.6310, 211.6330 Added  
 211.6350, 211.6370, 211.6390 Added  
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 211.6530, 211.6550, 211.6570 Added  
 211.6590, 211.6610, 211.6670 Added  
 211.6690, 211.6730, 211.6750 Added  
 211.6770, 211.6790, 211.6810 Added  
 211.6850, 211.6870, 211.6890 Added  
 211.6910, 211.6930, 211.6950 Added  
 211.6970, 211.6990, 211.7010 Added  
 211.7030, 211.7070, 211.7090 Added  
 211.7110, 211.7130, 211.7150 Added  
 211.7170, 211.7190, 211.7210 Added  
 211.7230, 211.7250, 211.7270 Added  
 211.7290, 211.7310, 211.7330 Added  
 211.7350 Added

4) Statutory Authority: 415 ILCS 5/9, 10, 27 and 28.5.

5) Effective Date of Amendment: September 27, 1993

6) Does this amendment contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No.

8) Date filed in Board's principal office: September 9, 1993

9) Notice of Proposal Published in Illinois Register:  
17 Ill. Reg. 4782, April 9, 1993

10) Has JCAR issued a Statement of Objections to these rules?  
No.

## POLLUTION CONTROL BOARD

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11) Differences between proposal and final version:

Section 211.610 - added "which has four wheels, is used predominately for carrying less than 12 passengers and is not a light-duty truck".

Section 211.630 - deleted "eventual".

Section 211.690 - modified the definition "day" to include a 24 hour period of a sources operating schedule.

Sections 211.3070, 211.3090, 211.3110, 211.3130 and 211.3150 were rearranged in alphabetical order.

Section 211.4870 - modified definition of "polystyrene plant".

Additional nonsubstantive changes were made to correct typing errors and omissions.

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

JCAR did not issue an agreement letter and all non-substantive changes indicated by JCAR have been made.

13) Will this amendment replace an emergency rule currently in effect? No.14) Are there any other amendments pending on this Part? yesSection Numbers Proposed Action Illinois Register Citation

211.270	New	17 Ill. Reg. 12491
211.1070	New	17 Ill. Reg. 12491
211.2030	New	17 Ill. Reg. 12491
211.2610	New	17 Ill. Reg. 12491
211.3950	New	17 Ill. Reg. 12491
211.4830	New	17 Ill. Reg. 12491
211.4850	New	17 Ill. Reg. 12491
211.4970	New	17 Ill. Reg. 12491
211.5390	New	17 Ill. Reg. 12491
211.5500	New	17 Ill. Reg. 13358
211.5530	New	17 Ill. Reg. 12491
211.6110	New	17 Ill. Reg. 12491
211.6170	New	17 Ill. Reg. 12491
211.6250	New	17 Ill. Reg. 12491
211.6630	New	17 Ill. Reg. 12491
211.6650	New	17 Ill. Reg. 12491
211.6710	New	17 Ill. Reg. 12491
211.6830	New	17 Ill. Reg. 12491

## POLLUTION CONTROL BOARD

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211.7050 New 17 Ill. Reg. 12491

- 15) Summary and Purpose of Amendments: The amendments to this part included moving the definitions previously found in Parts 203, 218 and 219 to one part and giving each definition a section number. A more detailed description is contained in the Board's opinion of September 9, 1993 in R93-9, which opinion is available from the address below. The amendments are part of a plan to meet the State's obligation to provide for a federally approvable State Implementation Plan that includes corrections to existing reasonably available control technology rules controlling emissions of volatile organic material in the nonattainment areas as required by the Clean Air Act Amendments of 1990.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Diane F. O'Neill  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6062

The full text of the adopted amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 211

## DEFINITIONS AND GENERAL PROVISIONS

## SUBPART A: GENERAL PROVISIONS

## Section

211.101 Incorporations by Reference  
211.102 Abbreviations and Units

## SUBPART B: DEFINITIONS

## Section

211.121 Other Definitions  
211.122 Definitions (Repealed)

211.130 Accelacota

211.150 Accumulator

211.170 Acid Gases

211.210 Actual Heat Input

211.230 Adhesive

211.250 Aeration

211.290 Afterburner

211.310 Air Contaminant

211.330 Air Dried Coatings

211.350 Air Oxidation Process

211.370 Air Pollutant

211.390 Air Pollution

211.410 Air Pollution Control Equipment

211.430 Air Suspension Coater/Dryer

211.450 Airless Spray

211.470 Air Assisted Airless Spray

211.490 Annual Grain Through-Put

211.510 Application Area

211.530 Architectural Coating

211.550 As Applied

211.570 Asphalt

211.590 Asphalt Prime Coat

211.610 Automobile

211.630 Automobile or Light-Duty Truck Assembly Source or

Automobile or Light-Duty Truck Manufacturing Plant

Automobile or Light-Duty Truck Refinishing

211.650 Baked Coatings

211.670

## POLLUTION CONTROL BOARD

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211.690 Batch Loading

211.710 Bead-Dipping

211.730 Binders

211.750 British Thermal Unit

211.770 Brush or Wipe Coating

211.790 Bulk Gasoline Plant

211.810 Bulk Gasoline Terminal

Can

211.830 Can Coating

211.850 Can Coating Line

211.870 Capture

211.890 Capture Device

211.910 Capture Efficiency

211.930 Capture System

211.950 Certified Investigation

211.970 Choke Loading

211.990 Clean Air Act

211.1010 Cleaning and Separating Operation

211.1050 Clear Coating

211.1090 Clear Topcoat

211.1110 Closed Purge System

211.1130 Closed Vent System

211.1150 Coal Refuse

211.1170 Coating

211.1190 Coating Applicator

211.1210 Coating Line

211.1230 Coating Plant

211.1250 Coil Coating

211.1270 Coil Coating Line

211.1290 Cold Cleaning

211.1310 Complete Combustion

211.1330 Component

211.1350 Concrete Curing Compounds

211.1370 Concentrated Nitric Acid Manufacturing Process

211.1390 Condensate

211.1410 Condensible PM-10

211.1430 Continuous Process

211.1470 Control Device

211.1490 Control Device Efficiency

211.1510 Conventional Soybean Crushing Source

211.1530 Conveyorized Degreasing

211.1550 Crude Oil

211.1570 Crude Oil Gathering

211.1590 Crushing

211.1610 Custody Transfer

211.1630 Cutback Asphalt

211.1650 Daily-Weighted Average VOM Content

211.1670



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

211.1690	Day
211.1710	Degreaser
211.1730	Delivery Vessel
211.1750	Dip Coating
211.1770	Distillate Fuel Oil
211.1790	Drum
211.1810	Dry Cleaning Operation or Dry Cleaning Facility
211.1830	Dump-Pit Area
211.1850	Effective Grate Area
211.1870	Effluent Water Separator
211.1890	Electrostatic Bell or Disc Spray
211.1910	Electrostatic Spray
211.1930	Emission Rate
211.1950	Emission Unit
211.1970	Enamel
211.1990	Enclose
211.2010	End Sealing Compound Coat
211.2050	Ethanol Blend Gasoline
211.2070	Excess Air
211.2090	Excessive Release
211.2110	Existing Grain-Drying Operation
211.2130	Existing Grain-Handling Operation
211.2150	Exterior Base Coat
211.2170	Exterior End Coat
211.2190	External Floating Roof
211.2210	Extreme Performance Coating
211.2230	Fabric Coating
211.2250	Fabric Coating Line
211.2270	Federally Enforceable Limitations and Conditions
211.2310	Final Repair Coat
211.2330	Firebox
211.2350	Fixed-Roof Tank
211.2370	Flexographic Printing
211.2390	Flexographic Printing Line
211.2410	Floating Roof
211.2430	Fountain Solution
211.2450	Freeboard Height
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
211.2490	Fugitive Particulate Matter
211.2510	Full Operating Flowrate
211.2530	Gas Service
211.2550	Gas/Gas Method
211.2570	Gasoline
211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility
211.2650	Grain

## POLLUTION CONTROL BOARD

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211.2670	Grain-Drying Operation
211.2690	Grain-Handling and Conditioning Operation
211.2710	Grain-Handling Operation
211.2730	Green-Tire Spraying
211.2750	Green Tires
211.2770	Gross Heating Value
211.2790	Gross Vehicle Weight Rating
211.2810	Heated Airless Spray
211.2830	Heatset
211.2850	Heatset-Web-Offset Lithographic Printing Line
211.2870	Heavy Liquid
211.2890	Heavy Metals
211.2910	Heavy Off-Highway Vehicle Products
211.2930	Heavy Off-Highway Vehicle Products Coating
211.2950	Heavy Off-Highway Vehicle Products Coating Line
211.2970	High Temperature Aluminum Coating
211.2990	High Volume Low Pressure (HVLP) Spray
211.3010	Hood
211.3030	Hot Well
211.3050	Housekeeping Practices
211.3070	Incinerator
211.3090	Indirect Heat Transfer
211.3110	Ink
211.3130	In-Process Tank
211.3150	In-Situ Sampling Systems
211.3170	Interior Body Spray Coat
211.3190	Internal-Floating Roof
211.3210	Internal Transferring Area
211.3230	Lacquers
211.3250	Large Appliance
211.3270	Large Appliance Coating
211.3290	Large Appliance Coating Line
211.3310	Light Liquid
211.3330	Light-Duty Truck
211.3350	Light Oil
211.3370	Liquid/Gas Method
211.3390	Liquid-Mounted Seal
211.3410	Liquid Service
211.3430	Liquids Dripping
211.3450	Lithographic Printing Line
211.3470	Load-Out Area
211.3490	Low Solvent Coating
211.3510	Magnet Wire
211.3530	Magnet Wire Coating
211.3550	Magnet Wire Coating Line
211.3570	Major Dump Pit
211.3590	Major Metropolitan Area (MMA)

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211.3610	Major Population Area (MPA)
211.3630	Manufacturing Process
211.3650	Marine Terminal
211.3670	Material Recovery Section
211.3690	Maximum Theoretical Emissions
211.3710	Metal Furniture
211.3730	Metal Furniture Coating
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211.3770	Metallic Shoe-Type Seal
211.3790	Miscellaneous Fabricated Product Manufacturing Process
211.3810	Miscellaneous Formulation Manufacturing Process
211.3830	Miscellaneous Metal Parts and Products
211.3850	Miscellaneous Metal Parts and Products Coating
211.3870	Miscellaneous Metal Parts or Products Coating Line
211.3890	Miscellaneous Organic Chemical Manufacturing Process
211.3910	Mixing Operation
211.3930	Monitor
211.3970	Multiple Package Coating
211.3990	New Grain-Drying Operation
211.4010	New Grain-Handling Operation
211.4030	No Detectable Volatile Organic Material Emissions
211.4050	Non-contact Process Water Cooling Tower
211.4070	Offset
211.4090	One Hundred Percent Acid
211.4110	One-Turn Storage Space
211.4130	Opacity
211.4150	Opaque Stains
211.4170	Open Top Vapor Degreasing
211.4190	Open-Ended Valve
211.4210	Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility
211.4230	Organic Compound
211.4250	Organic Material and Organic Materials
211.4270	Organic Vapor
211.4290	Oven
211.4310	Overall Control
211.4330	Overvornish
211.4350	Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
211.4370	Owner or Operator
211.4390	Packaging Rotogravure Printing
211.4410	Packaging Rotogravure Printing Line
211.4430	Pail
211.4450	Paint Manufacturing Source or Paint Manufacturing Plant
211.4470	Paper Coating
211.4490	Paper Coating Line
211.4510	Particulate Matter

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211.4530	Parts Per Million (Volume) or PPM (Vol)
211.4550	Person
211.4590	Petroleum
211.4610	Petroleum Liquid
211.4630	Petroleum Refinery
211.4650	Pharmaceutical
211.4670	Pharmaceutical Coating Operation
211.4690	Photochemically Reactive Material
211.4710	Pigmented Coatings
211.4730	Plant
211.4750	Plasticizers
211.4770	PM-10
211.4790	Pneumatic Rubber Tire Manufacture
211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
211.4870	Polystyrene Plant
211.4890	Polystyrene Resin
211.4910	Portable Grain-Handling Equipment
211.4930	Portland Cement Manufacturing Process Emission Source
211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
211.4990	Power Driven Fastener Coating
211.5030	Pressure Release
211.5050	Pressure Tank
211.5070	Prime Coat
211.5090	Primer Surfacer Coat
211.5110	Primer Surfacer Operation
211.5130	Primers
211.5150	Printing
211.5170	Printing Line
211.5185	Process Emission Source
211.5190	Process Emission Unit
211.5210	Process Unit
211.5230	Process Unit Shutdown
211.5250	Process Weight Rate
211.5270	Production Equipment Exhaust System
211.5310	Purification Rotogravure Printing Line
211.5330	Purged Process Fluid
211.5350	Reactor
211.5370	Reasonably Available Control Technology (RACT)
211.5410	Refiner
211.5430	Refinery Fuel Gas
211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5490	Refrigerated Condenser
211.5510	Reid Vapor Pressure
211.5550	Repair Coat



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211.5570	Repaired
211.5590	Residual Fuel Oil
211.5610	Restricted Area
211.5630	Retail Outlet
211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor
211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
211.5990	Shotblasting
211.6010	Side-Seam Spray Coat
211.6030	Smoke
211.6050	Smokeless Flare
211.6070	Solvent
211.6090	Solvent Cleaning
211.6130	Source
211.6150	Specialty High Gloss Catalyzed Coating
211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6410	Storage Tank or Storage Vessel
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6550	Synthetic Organic Chemical or Polymer Manufacturing

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211.6570	Plant
211.6590	Tablet Coating Operation
211.6610	Thirty-Day Rolling Average
211.6630	Three-Piece Can
211.6670	Topcoat
211.6690	Topcoat Operation
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Undertread Cementing
211.6870	Unregulated Safety Relief Valve
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMCL)
211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatiles Petroleum Liquid
211.7190	Wash Coat
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking
211.Appendix A	Rule into Section Table
211.Appendix B	Section into Rule Table
AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized Section 27 and 28.5 of the Environmental Protection Act (11 U.S.C. 1009, 1009.1, 1010 and 1027) (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/9, 9.10, 27 and 28.5].	



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SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993

## Section 211.102 Abbreviations and Units

## a) Abbreviations used in this Part include the following:

ASTM	American Society for Testing and Materials
bbl	barrels (42 gallons)
btu	British thermal units (60°F)
°C	degrees Celsius or centigrade
cm	centimeters
cu in	cubic inches
°F	degrees Fahrenheit
FIP	Federal Implementation Plan
ft	feet
ft <sup>2</sup>	square feet
g	grams
gpm	gallons per minute
g/mole	grams per mole
gal	gallons
hr	hours
in	inch

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°K	degrees Kelvin
kcal	kilocalories
kg	kilograms
kg/hr	kilograms per hour
kpa	kilopascals; one thousand newtons per square meter
l	liters
l/sec	liters per second
lbs	pounds
lbs/hr	pounds per hour
lbs/gal	pounds per gallon
LEL	lower explosive limit
m	meters
m <sup>2</sup>	square meters
m <sup>3</sup>	cubic meters
mg	milligrams
Mg	Megagrams, metric tons or tonnes
ml	milliliters
min	minutes
MJ	megajoules
mmHg	millimeters of mercury
NDO	natural draft opening
ppm (vol)	parts per million
ppmv	parts per million by volume
psi	pounds per square inch
psia	pounds per square inch absolute
psig	pounds per square inch gauge
RACT	reasonably available control technology
scf	standard cubic feet
scm	standard cubic meters
sec	seconds
SIP	State Implementation Plan
TTE	temporary total enclosure
sq cm	square centimeters
sq in	square inches
T	short ton (2,000 lbs)
ton	short ton (2,000 lbs)
USEPA	United States Environmental Protection Agency
VOC	volatile organic compounds
VOL	volatile organic liquids
VOM	volatile organic materials

b) The following conversion factors are used in this Part.

English	Metric
1 gal	3.785 l

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1,000 gal	3.785 l or 3.785 m <sup>3</sup>
1 psia	6.897 kPa (51.71 mmHg)
2.205 lbs	1 kg
32°	0°C (273.15° K)
1 bbl	159.0 l
1 cu in	16.39 ml
1 lb/gal	119.800 mg/l
1 ton	0.907 Mg
1 T	0.907 Mg

(Source: Amended at 17 Ill. Reg. 16504, effective September 27, 1993)

SUBPART B: DEFINITIONS

Section 211.121 Other Definitions

All terms defined in 35 Ill. Adm. Code 201 which appear in 35 Ill. Adm. Code 211 through 219 have the definitions specified by 35 Ill. Adm. Code 201.102. Otherwise the definitions in Section 211.122 this Part shall apply.

(Source: Amended at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.122 Definitions (Repealed)

~~"Accelerator": a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying and the coating is dried by the flow of air across the drum through the perforations.~~

~~"Accumulator": The reservoir of a condensing unit receiving the condensate from a surface condenser.~~

~~"Acid Gases": For the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1987, ch. 111, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.~~

~~"Actual Heat Input": The quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.~~

~~"Aeration": The practice of forcing air through bulk~~

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~~stored grain to maintain the condition of the grain.~~

~~"Afterburner": A device in which materials in gaseous effluents are combusted.~~

~~"Air Dried Coating": Coatings that dry by the use of air or forced air at temperatures up to 365.15° K (194° F).~~

~~"Air suspension coater/dryer": a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.~~

~~"Annual Grain Through Put": Unless otherwise shown by the owner or operator, annual grain throughput for grain handling operations, which have been in operation for three consecutive years prior to June 30, 1975, shall be determined by adding grain receipts and shipments for the three previous fiscal years and dividing the total by 6. The annual grain throughput for grain handling operations in operation for less than three consecutive years prior to June 30, 1975, shall be determined by a reasonable three-year estimate, the owner or operator shall document the reasonableness of his three-year estimate.~~

~~"Architectural Coating": Any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings which is site applied.~~

~~"Asphalt": The dark brown to black cementitious material (solid, semisolid or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.~~

~~"Asphalt Prime Coat": A low viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.~~

~~"Automobile": Any first division motor vehicle as that term is defined in the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95, pars 1-100 et seq.).~~



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"Automobile or Light-Duty Truck Manufacturing Plant": A facility where parts are manufactured or finished for eventual inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops and other painters.

"Automobile or Light-Duty Truck Refinishing": The repainting of used automobiles or light-duty trucks.

"Batch Loading": The process of loading a number of individual parts at the same time for degreasing.

"Bead Dipping": The dipping of an assembled tire bead into a solvent-based cement.

"British Thermal Unit": The quantity of heat required to raise one pound of water from 60° F to 61° F (abbreviated btu).

"Bulk Gasoline Plant": Any gasoline storage and distribution facility that receives gasoline from bulk gasoline terminals by delivery vessels and distributes gasoline to gasoline dispensing facilities.

"Bulk Gasoline Terminal": Any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.

"Can Coating": The application of a coating material to a single-walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in.).

"Certified Investigation": A report signed by Illinois Environmental Protection Agency (Agency) personnel certifying whether a grain-handling operation (or portion thereof) or grain-drying operation is causing or tending to cause air pollution. Such report must describe the signatory's investigation, including a summary of those facts on which he relies to certify whether the grain-handling or grain-drying operation is causing or threatening or allowing the discharge or emission of any contaminant into the environment so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or

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standards adopted by the Pollution Control Board (Board) under the Environmental Protection Act (Act). The certified investigation shall be open to a reasonable public inspection and may be copied upon payment of the actual cost of reproducing the original.

"Choke Loading": That method of transferring grain from the grain-handling operation to any vehicle for shipment or delivery which precludes a free fall velocity of grain from a discharge spout into the receiving container.

"Cleaning and Separating Operation": That operation where foreign and undesired substances are removed from the grain.

"Clear Coating": Coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Closed Purge System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed Vent System": A system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device, or return the gas or vapor to the process line.

"Coal Refuse": Waste products of coal mining, cleaning and coal preparation operations containing coal, matrix material, clay and other organic and inorganic material.

"Coating": For purposes of this Part, a coating includes a material applied to a substrate for decorative, protective or other functional purposes. Such material shall include, but are not limited to paints, varnishes, sealers, adhesives, diluents and thinners.

"Coating Applicator": Equipment used to apply a



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surface-coating.

"Coating Line". An operation where a surface-coating is applied to a material and subsequently the coating is dried and/or cured.

"Coating Plant". Any building, structure or installation that contains a coating line and which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control).

"Coil Coating". The application of a coating material to any flat metal sheet or strip that comes in rolls or coils.

"Cold Cleaning". The process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion". A process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component". Any piece of equipment which has the potential to leak volatile organic material including but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains and open ended valves. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy liquid service. For purposes of 35 Ill. Adm. Code 215-Subpart Q, this definition also excludes bleed ports of gear pumps in polymer service.

"Concentrated Nitric Acid Manufacturing Process". Any acid-producing facility manufacturing nitric acid with a concentration equal to or greater than 70 percent by weight.

"Condensate". Hydrocarbon liquid separated from its associated gases which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

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"Condensible PM-10". PM-10 formed immediately or shortly after discharge to the atmosphere, as measured by the applicable test method specified in 35 Ill. Adm. Code 212-110. Condensible particulate matter exists in gaseous and/or vapor form prior to release to the atmosphere, e.g., in the stack, and forms particulate matter upon condensation when subject to conditions of cooling and dilution in the atmosphere.

"Control Device". Equipment, such as an afterburner, adsorber, scrubber, condenser, cyclone or baghouse used to remove or prevent the emission of air pollutants from a contaminated exhaust stream. For purposes of 35 Ill. Adm. Code 215, Subpart Q, an enclosed combustion device, vapor recovery system, flare, or closed container.

"ConveyORIZED Degreasing". The continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude Oil". A naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude Oil Gathering". The transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Crushing". The fragmentation of non-metallic minerals by a machine such as a jaw, gyratory, cone, roll, rod, mill, hammermill, and impactor.

"Custody Transfer". The transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

"Cutback Asphalt". Any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

"Degreaser". Any equipment or system used in solvent cleaning.

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"Delivery Vessel". Any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant or bulk gasoline terminal.

"Distillate Fuel Oil". Fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil A-S.T.M. D-369-69 (1971).

"Dry Cleaning Facility". A facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"Dump Pit Area". Any area where grain is received at a grain handling or grain drying operation.

"Effective Grate Area". That area of a dump pit grate through which air passes, or would pass, when aspirated.

"Effluent Water Separator". Any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"Emission Rate". Total quantity of any air contaminant discharge into the atmosphere in any one hour period.

"Enclosure". With respect to 35 Ill. Adm. Code 215 Subpart T, to cover any volatile organic liquid surface that is exposed to the atmosphere.

"End Sealing Compound Coat". A compound applied to can ends which functions as a gasket when the end is assembled on the can.

"Excess Air". Air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

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"Excessive Release". A discharge of more than 295g (0.65 pounds) of mercaptans or hydrogen sulfide into the atmosphere in any five minute period.

"Existing Grain Drying Operation". Any grain drying operation the construction or modification of which was commenced prior to June 30, 1975.

"Existing Grain Handling Operation". Any grain handling operation the construction or modification of which was commenced prior to June 30, 1975.

"Exterior Base Coat". An initial coating applied to the exterior of a can after the can body has been formed.

"Exterior End Coat". A coating applied by rollers or spraying to the exterior end of a can.

"External Floating Roof". A storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which is supported by the petroleum liquid being contained and is equipped with a closure seal between the deck edge and tank wall.

"Extreme Performance Coating". Coatings designed for exposure to any of the following: the ambient weather conditions, temperatures above 368.15° K (203° F), detergents, abrasive and scouring agents, solvents, corrosive atmospheres, or other similar extreme environmental conditions.

"Fabric Coating". The coating of a textile substrate including operations where the coating impregnates the substrate.

"Final Repair Coat". The repainting of any coating which is damaged during vehicle assembly.

"Firebox". The chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Flexographic Printing". The application of words, designs and pictures to a substrate by means of a roll



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printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Floating Roof". A roof on a stationary tank, reservoir or other container which moves vertically upon change in volume of the stored material.

"Freeboard Height". For open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"Fuel Combustion Emission Source". Any furnace, boiler or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

"Fuel Gas System". A system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls and distribution piping.

"Fugitive Particulate Matter". Any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212 Subpart K shall exempt any source from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

"Gas Service". Means that the component contains process fluid that is in the gaseous state at operating conditions.

"Gasoline". Any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

"Gasoline Dispensing Facility". Any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"Grain". The whole kernel or seed of corn, wheat, oats, soybeans and any other cereal or oil seed plant, and the normal fines, dust and foreign matter which

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results from harvesting, handling or conditioning. The grain shall be unaltered by grinding or processing.

"Grain-Drying Operation". Any operation, excluding aeration, by which moisture is removed from grain and which typically uses forced ventilation with the addition of heat.

"Grain-Handling and Conditioning Operation". A grain storage facility and its associated grain transfer, cleaning, drying, grinding and mixing operations.

"Grain-Handling Operation". Any operation where one or more of the following grain-related processes (other than grain-drying operation, portable grain-handling equipment, one-turn storage space, and excluding flour mills and feed mills) are performed: receiving, shipping, transferring, storing, mixing or treating of grain or other processes pursuant to normal grain operations.

"Green Tire Spraying". The spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

"Green Tires". Assembled tires before molding and curing have occurred.

"Gross Heating Value". Amount of heat produced when a unit quantity of fuel is burned to carbon dioxide and water vapor, and the water vapor condensed as described in A.S.T.M. D-2015-66, D-900-55, D-1026-64 and D-240-64.

"Heavy Liquid". Liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3° K (70° F) or 0.1 Reid Vapor Pressure as determined by A.S.T.M. method D-223, or which when distilled requires a temperature of 300° F or greater to recover 10% of the liquid as determined by A.S.T.M. method D-86.

"Heavy Metals". For the purposes of Section 9.4 of the Act, elemental, ionic, or combined forms of arsenic, cadmium, mercury, chromium, nickel and lead.



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~~"Heavy, Off-Highway Vehicle Products": For the purposes of Section 215.204(k), heavy off-highway vehicle products shall include: heavy construction, mining, farming or material handling equipment, heavy industrial engines, diesel electric locomotives and associated power generation equipment, and the components of such equipment or engines.~~

~~"Hot Well": The reservoir of a condensing unit receiving the condensate from a barometric condenser.~~

~~"Housekeeping Practices": Those activities specifically defined in the list of housekeeping practices developed by the Joint EPA-Industry Task Force and included herein under 35 Ill. Adm. Code 212.461.~~

~~"Incinerator": Combustion apparatus in which refuse is burned.~~

~~"Indirect Heat Transfer": Transfer of heat in such a way that the source of heat does not come into direct contact with process materials.~~

~~"In-Process Tank": A container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating, or cleaning operations in the manufacture of pharmaceuticals.~~

~~"In-situ Sampling Systems": Nonextractive samplers or in-line samplers.~~

~~"Interior Body Spray Coat": A coating applied by spray to the interior of a can after the can body has been formed.~~

~~"Internal Transferring Area": Areas and associated equipment used for conveying grain among the various grain operations.~~

~~"Large Appliance Coating": The application of a coating material to the component metal parts (including but not limited to doors, cases, lids, panels and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.~~

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~~"Light-Duty Truck": Any second division motor vehicle as that term is defined in the Illinois Vehicle Code, (Ill. Rev. Stat. 1989, ch. 95, pars. 1-100 et seq.) weighing less than 3854 kilograms (8500 pounds) gross.~~

~~"Liquid Mounted Seal": A primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.~~

~~"Liquid Service": Means that the equipment or component contains process fluid that is in a liquid state at operating conditions.~~

~~"Liquids Dripping": Any visible leaking from a seal including spraying, misting, clouding and ice formation.~~

~~"Load-Out Area": Any area where grain is transferred from the grain handling operation to any vehicle for shipment or delivery.~~

~~"Low Solvent Coating": A coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.~~

~~"Magnet Wire Coating": The application of a coating of electrically insulating varnish or enamel to conducting wire to be used in electrical machinery.~~

~~"Major Dump Pit": Any dump pit with an annual grain throughput of more than 300,000 bushels, or which receives more than 40% of the annual grain throughput of the grain handling operation.~~

~~"Major Metropolitan Area (MMA)": Any county or group of counties which is defined by the following Table:~~

~~MAJOR METROPOLITAN AREAS IN ILLINOIS (MMA's)~~

~~MMA COUNTIES INCLUDED IN MMA~~

~~Champaign-Urbana-----Champaign  
Chicago-----Cook, Lake, Will, DuPage,  
McHenry, Kane, Grundy~~

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Decatur ~~\_\_\_\_\_~~ Kendall, Kankakee  
 Peoria ~~\_\_\_\_\_~~ Macon  
 Rockford ~~\_\_\_\_\_~~ Peoria, Tazewell  
 Rock Island ~~\_\_\_\_\_~~ Winnebago  
 Springfield ~~\_\_\_\_\_~~ Moline, Rock Island  
 St. Louis (Illinois) ~~\_\_\_\_\_~~ Sangamon  
 Bloomington ~~\_\_\_\_\_~~ St. Clair, Madison  
~~\_\_\_\_\_~~ Normal, McLean

**Major Population Area (MPA).** Areas of major population concentration in Illinois, as described below:

The area within the counties of Cook, Lake, DuPage, Will, the townships of Burton, Richmond, McHenry, Greenwood, Nunda, Deer, Algonquin, Crafton and the municipality of Woodstock, plus a zone extending two miles beyond the boundary of said municipality located in McHenry County, the townships of Dundee, Rutland, Elgin, Plato, St. Charles, Campton, Geneva, Blackberry, Batavia, Sugar Creek and Aurora located in Kane County; and the municipalities of Kankakee, Bradley and Bourbonnais, plus a zone extending two miles beyond the boundaries of said municipalities in Kankakee County.

The area within the municipalities of Rockford and Loves Park, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Rock Island, Moline, East Moline, Carbon Cliff, Milan, Oak Grove, Silvis, Hampton, Greenwood and Coal Valley, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Galesburg and East Galesburg, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bartonville, Peoria and Peoria Heights, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Pekin, North Pekin, Marquette Heights, Creve Coeur and East Peoria, plus a zone extending two miles beyond the boundaries of said municipalities.

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The area within the municipalities of Bloomington and Normal, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Champaign, Urbana and Savoy, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Decatur, Mt. Zion, Harriestown and Persyth, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Springfield, Leland Grove, Jerome, Southern View, Grandview, Sherman and Chatham, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the townships of Godfrey, Foster, Wood River, Fort Russell, Chouteau, Edwardsville, Venice, Nameeki, Alton, Granite City and Collinsville located in Madison County, and the townships of Stites, Canteen, Centreville, Caseyville, St. Clair, Sugar Loaf and Steekey located in St. Clair County.

**"Manufacturing Process".** A process emission source or series of process emission sources used to convert raw materials, feed stocks, subassemblies or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

**"Marine Terminal".** A facility primarily engaged in loading and unloading watercraft.

**"Metal Furniture Coating".** The application of a coating material to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, wastebaskets, beds, desks, lockers, benches, shelving, file cabinets, lamps and room dividers. This definition shall not apply to any coating line coating metal parts or products that is identified under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38, 39, 40 or 41.

**"Miscellaneous Fabricated Product Manufacturing Process".**



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~~A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting volatile organic material.~~

~~Adhesives to fabricate or assemble non-furniture components or products~~

~~Asphalt solutions to paper or fiberboard~~

~~Asphalt to paper or felt~~

~~Coatings or dye to leather~~

~~Coatings to plastic~~

~~Coatings to rubber or glass~~

~~Curing of furniture adhesives in an oven which would emit in excess of 10 tons of volatile organic material per year if no air pollution control equipment were used~~

~~Disinfectant material to manufactured items~~

~~Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pellets~~

~~Resin solutions to fiber substances~~

~~Rubber solutions to molds~~

~~Viscose solutions for food casings~~

~~The storage and handling of formulations associated with the process described above.~~

~~The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.~~

~~Miscellaneous Formulation Manufacturing Process:~~

~~A manufacturing process which compounds one or more of the following and is capable of emitting volatile organic material:~~

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~~Adhesives~~

~~Asphalt solutions~~

~~Caulks, sealants or waterproofing agents~~

~~Coatings, other than paint and ink~~

~~Concrete curing compounds~~

~~Dyes~~

~~Friction materials and compounds~~

~~Resin solutions~~

~~Rubber solutions~~

~~Viscose solutions~~

~~The storage and handling of formulations associated with the process described above.~~

~~The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.~~

~~Miscellaneous Metal Parts and Products: For the purpose of 35 Ill. Adm. Code 215.204, miscellaneous metal parts and products shall include farm machinery, garden machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category which coats metal parts or products under the Standard Industrial Classification Code for Major Groups 32, 34, 35, 36, 37, 38 or 39 with the exception of the following: coating lines subject to 35 Ill. Adm. Code 215.204(a)-(i) and (k), automobile or light-duty truck refinishing, the exterior of marine vessels and the customized top coating of automobiles and trucks if production is less than thirty-five vehicles per day.~~

~~Miscellaneous Organic Chemical Manufacturing Process:~~

~~A manufacturing process which produces by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of~~



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emitting volatile organic materials

Chemicals listed in 35 Ill. Adm. Code 215. Appendix D.

Chlorinated and sulfonated compounds

Cosmetic, detergent, soap or surfactant intermediaries or specialties and products

Disinfectants

Food additives

Oil and petroleum product additives

Plasticizers

Resins or polymers

Rubber additives

Sweeteners

Varnishes

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Mixing Operation": The operation of combining two or more ingredients, of which at least one is a grain.

"New Grain Drying Operation": Any grain drying operation the construction or modification of which is commenced on or after June 30, 1975.

"New Grain Handling Operation": Any grain handling operation the construction or modification of which is commenced on or after June 30, 1975.

"No Detectable Volatile Organic Material Emissions": A discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR

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"One Hundred Percent Acid": Acid with a specific gravity of 1.8205 at 30° C in the case of sulfuric acid and 1.4952 at 30° C in the case of nitric acid.

"One Turn Storage Space": That space used to store grain with a total annual throughput not in excess of the total bushel storage of that space.

"Opacity": A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Ringelmann

10 0.5

20 1.

30 1.5

40 2.

60 3.

80 4.

100 5.

"Open Top Vapor Degreasing": The batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.

"Operator of Gasoline Dispensing Facility": Any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.

"Organic Compound": Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metal carbides or carbonates, and ammonium carbonate.

"Organic Material": Any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as solvents, viscosity reducers or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate.

"Organic Materials": For the purposes of Section 9.4 of the

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**Act**, any chemical compound of carbon, including diluents and thinners which are liquids at standard conditions and which are used as solvents, viscosity reducers or cleaning agents, and polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans and polynuclear aromatic hydrocarbons are organic materials; while methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate are not organic materials.

**Organic Vapor**: Gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

**Overvarnish**: A coating applied directly over ink or printing.

**Owner of Gasoline Dispensing Facility**: Any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.

**Packaging Rotogravure Printing**: Rotogravure printing upon paper, paper board, metal foil, plastic film and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

**Paint Manufacturing Plant**: A plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes or pigmented surface coatings.

**Paper Coating**: The application of a coating material to paper or pressure sensitive tapes, regardless of substrate, including web coating on plastic fibers and decorative coatings on metal foil.

**Particulate Matter**: Any solid or liquid material, other than water, which exists in finely divided form.

**Petroleum Liquid**: Crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in A-6.T.M. D-396-69, gas turbine fuel oils Numbers 2-CT through 4-CT as specified in A-6.T.M. D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in A-6.T.M. D-975-68.

**Petroleum Refinery**: Any facility engaged in producing

gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation, cracking, extraction or reforming of unfinished petroleum derivatives.

**Pharmaceutical**: Any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment or cure of disease in man and animal.

**Pharmaceutical Coating Operation**: A device in which a coating is applied to a pharmaceutical, including any drying or curing of the coating.

**Photochemically Reactive Material**: Any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation: 5 percent. This definition does not apply to perchlorethylene or trichloroethylene.

A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.

A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

**Plant**: All of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification



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upm-10", particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by the applicable test methods specified by rule. Ambient air concentrations for PM-10 are usually expressed in micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ).

upneumatic Rubber Tire Manufacture". The production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.0 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

upolybasic Organic Acid Partial Oxidation Manufacturing Process". Any process involving partial oxidation of hydrocarbons with air to manufacture polybasic acids or their anhydrides, such as maleic anhydride, phthalic anhydride, terephthalic acid, isophthalic acid, trimellitic anhydride.

uportable Grain-Handling Equipment". Any equipment (excluding portable grain dryers) that is designed and maintained to be movable primarily for use in a non-continuous operation for loading and unloading one turn storage space, and is not physically connected to the grain elevator, provided that the manufacturer's rated capacity of the equipment does not exceed 10,000 bushels per hour.

uportland Cement Manufacturing Process Emission Source". Any items of process equipment or manufacturing processes used in or associated with the production of portland cement, including, but not limited to, a kiln, clinker cooler, raw mill system, finish mill system, raw material dryer, material storage bin or system, material conveyor belt or other transfer system, material conveyor belt transfer point, bagging operation, bulk unloading station or bulk loading station.

uportland Cement Process" or "Portland Cement Manufacturing Plant". Any facility or plant manufacturing portland cement by either the wet or dry process.

upower Driven Fastener Coating". The coating of nail, staple, brad and finish nail fasteners where such fasteners are fabricated from wire or rod of 0.0254 inch diameter or

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greater, where such fasteners are bonded into coils or strips, such coils and strips containing a number of such fasteners which fasteners are manufactured for use in power tools, and which fasteners must conform with formal standards for specific uses established by various federal and national organizations including Federal Specification FF-N-105B of the General Services Administration dated August 23, 1977 (does not include any later amendments or editions), U.S. Army Armament Research and Development Command, Attn: DRDAR-TST, Rock Island, IL 61201, Bulletin UM-25d of the U.S. Department of Housing and Urban Development Federal Housing Administration dated September 5, 1972 (does not include any later amendments or editions), Department of HUD, 547 W. Jackson Blvd., Room 1005, Chicago, IL 60606, and the Model Building Code of the Council of American Building Officials, and similar standards, for the purposes of this definition, the terms "uprad" and "upfinish nail" refer to single leg fasteners fabricated in the same manner as staples. The application of coatings to staple, brad, and finish nail fasteners may be associated with the incremental forming of such fasteners in a cyclic or repetitious manner (incremental fabrication) or with the forming of strips of such fasteners as a unit from a band of wires (unit fabrication).

uppm (Vol) (Parts per Million) (Volume)". A volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volumes of gas.

upressure Release". The emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

upressure Tank". A tank in which fluids are stored at a pressure greater than atmospheric pressure.

uprime Coat". The first film of coating material applied in a multiple coat operation.

uprime Surfacer Coat". A film of coating material that touches up areas on the surface not adequately covered by the prime coat before application of the top coat.

uprocess". Any stationary emission source other than a fuel combustion emission source or an incinerator.

uprocess Unit". Components assembled to produce, as



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"intermediate or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 215-Appendix D. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

"Process Unit Shutdown". A work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.

"Process Weight Rate". The actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

"Production Equipment Exhaust System". A system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges and other process emission sources.

"Publication Rotogravure Printing". Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of non-packaging printed materials.

"Purged Process Fluid". Liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"Reactor". A vat, vessel or other device in which chemical reactions take place.

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"Reasonably Available Control Technology (RACT)". The lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refinery Fuel Gas". Any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

"Refinery Unit, Process Unit or Unit". A set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

"Refrigerated Condenser". A surface condenser in which the coolant supplied to the condenser has been cooled by a mechanical device, other than by a cooling tower or evaporative spray cooling, such as a refrigeration unit or steam chiller unit.

"Residual Fuel Oil". Fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A-S.T.M. D-396-69 (1971).

"Restricted Area". The area within the boundaries of any "municipality" as defined in the Illinois Municipal Code, plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1000 or more according to the latest federal census.

"Ringelmann Chart". The chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967, or any adaptation thereof which has been approved by the Agency.

"Roadway". Any street, highway, road, alley, sidewalk, parking lot, airport, rail bed or terminal, bikeway, pedestrian mall or other structure used for transportation purposes.

"Roll Printing". The application of words, designs and pictures to a substrate usually by means of a series of hard rubber or metal rolls each with only partial coverage.

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"**Rephotogravure Printing**". The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"**Safety Relief Valve**". A valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"**Sandblasting**". The use of a mixture of sand and air at high pressures for cleaning and/or polishing any type of surface.

"**Screening**". Separating material according to size by pressing undersized material through one or more mesh surfaces (screens) in series, and retaining oversized material on the mesh surfaces (screens).

"**Sensor**". A device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

"**Set of Safety Relief Valves**". One or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"**Sheet Basecoat**". A coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two piece or three piece cans.

"**Shotblasting**". The use of a mixture of any metallic or non-metallic substance and air at high pressures for cleaning and/or polishing any type of surface.

"**Side-Seam Spray Coat**". A coating applied to the seam of a three-piece can.

"**Smoke**". Small gas-borne particles resulting from incomplete combustion, consisting predominately but not exclusively of carbon, ash and other combustible material that form a visible plume in the air.

"**Smokeless Flare**". A combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance density or shade

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darker than No. 1 of the Ringlemann Chart.

"**Solvent Cleaning**". The process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing or conveyorized degreasing.

"**Specialty High Gloss Catalyzed Coating**". Commercial contract finishing of material prepared for printers and lithographers where the finishing process uses a solvent-borne coating, formulated with a catalyst, in a quantity of no more than 12,000 gallons/year as supplied, where the coating machines are sheet fed and the coated sheets are brought to a minimum surface temperature of 100° F, and where the coated sheets are to achieve the minimum specular reflectance index of 65 measured at a 60 degree angle with a gloss meter.

"**Splash Loading**". A method of loading a tank, railroad tank car, tank truck or trailer by use of other than a submerged loading pipe.

"**Stack**". A flue or conduit, free standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"**Standard Conditions**". A temperature of 70° F and a pressure of 14.7 pounds per square inch absolute (psia).

"**Standard Cubic Foot (scf)**". The volume of one cubic foot of gas at standard conditions.

"**Startup**". The setting in operation of an emission source for any purpose.

"**Stationary Emission Source**". An emission source which is not self-propelled.

"**Stationary Storage Tank**". Any container of liquid or gas which is designed and constructed to remain at one site.

"**Submerged Loading Pipe**". Any loading pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When applied to a tank which is loaded from the side, any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. The



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definition shall also apply to any loading pipe which is continuously submerged during loading operations.

"Sulfuric Acid Mist". Sulfuric acid mist as measured according to the method specified in 35 Ill. Adm. Code 214-101(b)."

"Surface Condenser". A device which removes a substance from a gas stream by reducing the temperature of the stream without direct contact between the coolant and the stream.

"Synthetic Organic Chemical or Polymer Manufacturing Plant". A plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 215. Appendix D.

"Tablet Coating Operation". A pharmaceutical coating operation in which tablets are coated.

"Top Coat". A film of coating material applied in a multiple coat operation other than the prime coat, final repair coat or prime surface coat.

"Transfer Efficiency". Ratio of the amount of coating deposited onto a part or product to the total amount of coating solids used.

"Tread End Cementing". The application of a solvent-based cement to the tire tread ends.

"True Vapor Pressure". The equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from Floating Roof Tanks" (1962)."

"Turnaround". The procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

"Undertread Cementing". The application of a solvent-based cement to the underside of a tire tread.

"Unregulated Safety Relief Valve". A safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

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"Vacuum Producing System". Any reciprocating, rotary or centrifugal blower or compressor, or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.

"Valves Not Externally Regulated". Valves that have no external controls, such as in-line check valves.

"Vapor Balance System". Any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

"Vapor Collection System". All piping, seals, hoses, connections, pressure vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit and/or the storage tanks and vapor holder.

"Vapor Control System". Any system that prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.

"Vapor Mounted Primary Seal". A primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

"Vinyl Coating". The application of a topecoat or printing to vinyl coated fabric or vinyl sheets, provided, however, that the application of an organic solvent or plasticizer is not vinyl coating.

"Volatile Organic Liquid". Any liquid which contains volatile organic material.

"Volatile Organic Material". Any organic compound which participates in atmospheric photochemical reactions unless specifically exempted from this definition. For purposes of determining compliance with emission limits, volatile organic material shall be measured by the reference test methods incorporated by reference in 35 Ill. Adm. Code 215.105. Where such a method also inadvertently measures compounds with negligible photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds.

For purposes of this definition, the following organic compounds have been determined to have negligible



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photochemical reactivity and are not volatile organic materials:

Chlorodifluoroethane (HCFC-142b)  
 Chlorodifluoromethane (CFC-22)  
 Chloropentafluoroethane (CFC-115)  
 2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)  
 Dichlorodifluoromethane (CFC-12)  
 Dichlorofluoroethane (HCFC-141b)  
 Dichloromethane (Methylene chloride)  
 Dichlorotetrafluoroethane (CFC-114)  
 Dichlorotrifluoroethane (HCFC-123)  
 1,1-Difluoroethane (HFC-152a)  
 Ethane  
 Methane  
 Pentafluoroethane (HFC-125)  
 Tetrafluoroethane (HFC-134a)  
 1,1,2,2-Tetrafluoroethane (HFC-134)  
 Trichloroethane (Methyl chloroform)  
 1,1,1-Trichloroethane (Methyl chloroform)  
 Trichlorofluoromethane (CFC-11)  
 Trichlorotrifluoroethane (CFC-113)  
 Trifluoromethane (FC-23)

and the following classes of compounds:

Cyclic, branched, or linear, completely fluorinated alkanes.

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.

Sulphur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

BOARD NOTE: USEPA or the Agency may require monitoring to demonstrate the amount of an exempted compound in a source's emissions on a case-by-case basis as a pre-condition to exemption of that compound under certain circumstances, such as where VOMs and exempted compounds are mixed together, there are a large number of exempted compounds, or the chemical composition of the exempted compounds is not known. See 35 Ill. Adm. Code 215.108; 56 Fed. Reg. 11419-20.

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"Volatile Organic Material Content" or "VOMC": the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, tire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating solids, of coating material or material.

"Volatile Petroleum Liquid": Any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.

"Wastewater (Oil/Water) Separator": Any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals of water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.

"Weak Nitric Acid Manufacturing Process": Any acid producing facility manufacturing nitric acid with a concentration of less than 70 percent by weight.

"Woodworking": The shaping, sawing, grinding, smoothing, polishing and making into products of any form or shape of wood.

(Source: Repealed at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.130 Accelacota

"Accelacota" means a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying, and the coating is dried by the flow of air across the drum through the perforations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.150 Accumulator

"Accumulator" means the reservoir of a condensing unit receiving the condensate from a surface condenser.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.170 Acid Gases

"Acid gases" means, for the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1991, ch. 111, par. 1009.4) [415 ICS 5/9.4], hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.210 Actual Heat Input

"Actual heat input" means the quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.230 Adhesive

"Adhesive" means any substance or mixture of substances intended to serve as a joining compound.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.250 Aeration

"Aeration" means the practice of forcing air through bulk stored grain to maintain the condition of the grain.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.290 Afterburner

"Afterburner" means a control device in which materials in gaseous effluent are combusted.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.310 Air Contaminant

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"Air contaminant" means any solid, liquid, or gaseous matter, any odor, or any form of energy, that is capable of being released into the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.330 Air Dried Coatings

"Air dried coatings" means any coatings that dry by use of air or forced air at temperatures up to 363.15°K (194°F).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.350 Air Oxidation Process

"Air oxidation process" means any unit process including ammoxidation and oxychlorination which uses air or a combination of air and oxygen as an oxidant in combination with one or more organic reactants to produce one or more organic compounds.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.370 Air Pollutant

"Air pollutant" means an air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the atmosphere. Such term includes any precursors to the formation of any air pollutant, to the extent that the relevant statute or rule has identified such precursor or precursors for particular purpose for which the term "air pollutant" is used.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.390 Air Pollution

"Air pollution" means the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably



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interfere with the enjoyment of life or property.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.410 Air Pollution Control Equipment

"Air pollution control equipment" means any equipment or apparatus of a type intended to eliminate, prevent, reduce or control the emission of air contaminants to the atmosphere.

(Board Note: The requirements to obtain permits for air pollution control equipment, in 35 Ill. Adm. Code 201.Subpart C, apply to such equipment intended to eliminate, prevent, reduce or control the emissions of specified air contaminants from stationary emission units.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.430 Air Suspension Coater/Dryer

"Air suspension coater/dryer" means a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.450 Airless Spray

"Airless spray" means a spray coating method in which the coating is atomized by forcing it through a small opening at high pressure. The coating liquid is not mixed with air before exiting from the nozzle.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.470 Air Assisted Airless Spray

"Air assisted airless spray" means a spray coating method which combines compressed air with hydraulic pressure to atomize the coating material into finer droplets than is achieved with pure airless spray. Lower hydraulic pressure is used than with

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airless spray.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.490 Annual Grain Through-Put

"Annual grain through-put" unless otherwise shown by the owner or operator, annual grain through-put for grain-handling operations, which have been in operation for three consecutive years prior to June 30, 1975, shall be determined by adding grain receipts and shipments for the three previous fiscal years and dividing the total by 6. The annual grain through-put for grain-handling operations in operation for less than three consecutive years prior to June 30, 1975, shall be determined by a reasonable three-year estimate; the owner or operator shall document the reasonableness of his three-year estimate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.510 Application Area

"Application area" means an area where a coating is applied by dipping, spraying or other techniques.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.530 Architectural Coating

"Architectural coating" means any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings, which is site applied.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.550 As Applied

"As applied" means the formulation of a coating during application on or impregnation into a substrate, including any dilution solvents or thinners added at the source before application of the coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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## Section 211.570 Asphalt

"Asphalt" means the dark-brown to black cementitious material (solid, semisolid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.590 Asphalt Prime Coat

"Asphalt prime coat" means a low-viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.610 Automobile

"Automobile" means a motor vehicle which normally has four wheels, is used predominately for carrying 12 or fewer passengers, and is not a light-duty truck.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.630 Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant

"Automobile or light-duty truck assembly source" or "Automobile or light-duty truck manufacturing plant" means a source where parts are assembled or finished for inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops, and other repainters.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.650 Automobile or Light-Duty Truck Refinishing

"Automobile or light-duty truck refinishing" means the repainting of used automobiles and light-duty trucks.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.670 Baked Coatings

"Baked coatings" means any coating which is cured or dried in an oven where the oven air temperature exceeds 90°C (194°F).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.690 Batch Loading

"Batch loading" means, with respect to solvent cleaning, the process of loading a number of individual parts at the same time for degreasing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.710 Bead-Dipping

"Bead-dipping" means the dipping of an assembled tire bead into a solvent-based cement.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.730 Binders

"Binders" means organic materials and resins which do not contain VOM.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.750 British Thermal Unit

"British Thermal Unit" means the quantity of heat required to raise one pound of water from 60°F to 61°F (abbreviated btu).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.770 Brush or Wipe Coating

"Brush or wipe coating" means a manual method of applying a coating using a brush, cloth, or similar object.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.790 Bulk Gasoline Plant

a) "Bulk gasoline plant" means, for purposes of 35 Ill. Adm. Code 215, any gasoline storage and distribution source that receives gasoline from bulk gasoline terminals by delivery vessels and distributes gasoline to gasoline dispensing operations.

b) "Bulk gasoline plant" means, for purposes of 35 Ill. Adm. Code 218 and 219, a gasoline storage and distribution source with an average throughput of 76,000 l (20,000 gal) or less on a 30-day rolling average that distributes gasoline to gasoline dispensing operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.810 Bulk Gasoline Terminal

"Bulk gasoline terminal" means any gasoline storage and distribution source that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.830 Can

"Can" means any cylindrical single walled metal container, with or without a top, cover, spout or handles, with walls thinner than 29 gauge (0.0141 inch) into which solid or liquid materials may be packaged.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.850 Can Coating

"Can coating" means any protective, decorative or functional coating applied onto the surface of a can or a metal sheet or metal part which is made into a can.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.870 Can Coating Line

"Can coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of a can or a metal sheet or metal part which is made into a can.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.890 Capture

"Capture" means the containment or recovery of emissions from an emission unit for direction into a duct which may be exhausted through a stack or vent to a control device. The overall abatement of emissions from an emission unit with an add-on control device is a function both of the capture efficiency and of the control device efficiency.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.910 Capture Device

"Capture device" means a hood, enclosed room, floor sweep or other means of collecting volatile organic material or other air contaminants into a duct. The pollutant can then be directed to a pollution control device such as an afterburner, carbon adsorber, fabric filter or scrubber. Sometimes the term is used loosely to include the control device.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.930 Capture Efficiency

"Capture efficiency" means, for purposes of 35 Ill. Adm. Code 218 and 219, the weight of VOM entering a capture system and delivered to a control device divided by the weight of VOM generated by an emission unit, during a particular time period, expressed as a percentage.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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Section 211.950 Capture System

"Capture system" means all equipment (including, but not limited to, hoods, ducts, fans, ovens, dryers, etc.) used to contain, collect and transport an air contaminant to a control device.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.970 Certified Investigation

"Certified investigation" means a report signed by Illinois Environmental Protection Agency (Agency) personnel certifying whether a grain-handling operation (or portion thereof) or grain-drying operation is causing or tending to cause air pollution. Such report must describe the signatory's investigation, including a summary of those facts on which the signatory relies to certify whether the grain-handling or grain-drying operation is causing or threatening or allowing the discharge or emission of any contaminant into the environment so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board (Board) under the Environmental Protection Act (Act). The certified investigation shall be open to a reasonable public inspection and may be copied upon payment of the actual cost of reproducing the original.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.990 Choke Loading

"Choke loading" means that method of transferring grain from the grain-handling operation to any vehicle for shipment or delivery which precludes a free fall velocity of grain from a discharge spout into the receiving container.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1010 Clean Air Act

"Clean Air Act" means the Clean Air Act Amendments of 1970 (42 U.S.C. §7401 et seq.), as amended in 1977 and 1990.

(Source: Added at 17 Ill. Reg. 16504, effective September 27,

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Section 211.1050 Cleaning and Separating Operation

"Cleaning and separating operation" means that operation where foreign and undesired substances are removed from the grain.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1090 Clear Coating

"Clear coating" means coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1110 Clear Topcoat

"Clear topcoat" means the final coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1130 Closed Purge System

"Closed purge system" means a system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1150 Closed Vent System

"Closed vent system" means a system that is not open to the atmosphere and is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device.



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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1170 Coal Refuse

"Coal refuse" means waste products of coal mining, cleaning and coal preparation operations containing coal, matrix material, clay and other organic and inorganic material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1190 Coating

a) "Coating" means, for purposes of 35 Ill. Adm. Code 215, a material applied to a substrate for decorative, protective or other functional purposes. Such material shall include, but are not limited to paints, varnishes, sealers, adhesives, diluents and thinners.

b) "Coating" means, for purposes of 35 Ill. Adm. Code 218 and 219, a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, adhesives, thinners, diluents, and inks.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1210 Coating Applicator

"Coating applicator" means equipment used to apply a coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1230 Coating Line

a) "Coating line" means, for purposes of 35 Ill. Adm. Code 215, an operation where a surface coating is applied to a material and subsequently the coating is dried and/or cured.

b) "Coating line" means, for purposes of 35 Ill. Adm. Code 218 and 219, an operation consisting of a series of one or more coating applicators and any associated

flash-off areas, drying areas, and ovens wherein a coating is applied, dried, and/or cured. A coating line ends at the point where the coating is dried or cured, or prior to any subsequent application of a different coating. It is not necessary for an operation to have an oven or a flash-off area in order to be included in this definition.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1250 Coating Plant

"Coating plant" means any building, structure or installation that contains a coating line and which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1270 Coil Coating

"Coil coating" means any protective, decorative or functional coating which is applied onto any flat metal sheet or strip which is delivered to the coating line as a roll or coil, unwound and coated as a continuous substrate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1290 Coil Coating Line

"Coil coating line" means a coating line in which any protective, decorative or functional coating is applied onto any flat metal sheet or strip which is delivered to the coating line as a roll or coil, unwound and coated as a continuous substrate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1310 Cold Cleaning

"Cold cleaning" means the process of cleaning and removing soils from surfaces by spraying, brushing, flushing, or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1330 Complete Combustion

"Complete combustion" means a process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1350 Component

"Component" means any piece of equipment which has the potential to leak volatile organic material (VOM) including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains, and open ended valves and lines, and flanges. For purposes of Subparts Q and R in 35 Ill. Adm. Code 215, 218 and 219, this definition excludes valves which are not externally regulated. flanges, and equipment in heavy liquid service. For purposes of Subpart Q of 35 Ill. Adm. Code 215, 218 and 219, this definition also excludes bleed ports of gear pumps in polymer service.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1370 Concrete Curing Compounds

"Concrete curing compounds" means any coating applied to freshly poured concrete to retard the evaporation of water.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1390 Concentrated Nitric Acid Manufacturing Process

"Concentrated nitric acid manufacturing process" means any acid producing facility manufacturing nitric acid with a concentration equal to or greater than 70 percent by weight.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1410 Condensate

"Condensate" means volatile organic liquid separated from its

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associated gases, which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1430 Condensible PM-10

"Condensible PM-10" means PM-10 formed immediately or shortly after discharge to the atmosphere, as measured by the applicable test method specified in 35 Ill. Adm. Code 212.110. Condensible particulate matter exists in gaseous and/or vapor form prior to release to the atmosphere, e.g., in the stack, and forms particulate matter upon condensation when subject to conditions of cooling and dilution in the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1470 Continuous Process

"Continuous process" means, with respect to manufacture of polystyrene resin, a method of manufacture in which the styrene raw material is delivered on a continuous basis to the reactor in which the styrene is polymerized to polystyrene.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1490 Control Device

"Control device" means equipment (such as an afterburner, adsorber, fabric filter or scrubber) used to remove or prevent the emission of an air contaminant from a contaminated exhaust stream.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1510 Control Device Efficiency

"Control device efficiency" means, for purposes of 35 Ill. Adm. Code 218 and 219, the weight of VOM generated by an emission unit which is destroyed or removed by a control device, divided by the weight of VOM generated by such unit entering the control device, during a particular time period, expressed as a percentage.



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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1530 Conventional Soybean Crushing Source

"Conventional soybean crushing source" means any hexane extraction soybean crushing equipment that uses direct contact steam for desolventizing and producing toasted soy meals.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1550 Conveyorized Degreasing

"Conveyorized degreasing" means the continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1570 Crude Oil

"Crude oil" means a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen, or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1590 Crude Oil Gathering

"Crude oil gathering" means the transportation of crude oil or condensate after custody transfer between a production site and a reception point.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1610 Crushing

"Crushing" means the fragmentation of non-metallic minerals by a machine such as a jaw, gyratory, cone, roll, rod, mill, hammermill, and impactor.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.1630 Custody Transfer

"Custody transfer" means the transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic transfer systems to pipelines or any other forms of transportation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1650 Outback Asphalt

"Outback asphalt" means any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1670 Daily-Weighted Average VOM Content

"Daily-weighted average VOM content" means the average VOM content of two or more coatings as applied on a coating line during any day, taking into account the fraction of total coating volume that each coating represents, as calculated with the following equation:

$$VOM_w = \frac{n}{\sum_{i=1}^n V_i} C_i \frac{1}{V_T}$$

where:

$VOM_w$  = The average VOM content of two or more coatings as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM).

$n$  = The number of different coatings as applied each day on a coating line.

$V_i$  = The volume of each coating (minus water and any compounds which are specifically exempted



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from the definition of VOM) as applied each day on a coating line in units of 1 (gal).

$C_i$  = The VOM content of each coating as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM), and

$V_T$  = The total volume of all coatings (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on a coating line in units of 1 (gal).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1690 Day

"Day" means, for purposes of Part 218 or Part 219, the consecutive 24 hours beginning at 12:00 AM (midnight) local time or beginning at a fixed time consistent with the source's operating schedule, as provided below. A source may use a day beginning at a time other than midnight which is consistent with its operating schedule provided that the owner or operator of the source first notifies that Agency in writing of such alternative, describing why it would be more reasonable to maintain records on this basis. The owner or operator shall notify the Agency in writing prior to any change in the time at which a day begins.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1710 Degreaser

"Degreaser" means any equipment or system used in solvent cleaning.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1730 Delivery Vessel

"Delivery vessel" means any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing operation, bulk

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gasoline plant, or bulk gasoline terminal.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1750 Dip Coating

"Dip coating" means a method of applying coatings in which the part is submerged in a tank filled with the coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1770 Distillate Fuel Oil

"Distillate fuel oil" means fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil ASTM D-369-69 (1971) incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1790 Drum

"Drum" means any cylindrical shipping container of 13 to 110-gallon capacity.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1810 Dry Cleaning Operation or Dry Cleaning Facility

"Dry cleaning operation" or "Dry cleaning facility" means the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The dry cleaning operation or facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.1830 Dump-Pit Area

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"Dump-pit area" means any area where grain is received at a grain-handling or grain-drying operation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1850 Effective Grate Area

"Effective grate area" means that area of a dump-pit grate through which air passes, or would pass, when aspirated.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1870 Effluent Water Separator

"Effluent water separator" means any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1890 Electrostatic Bell or Disc Spray

"Electrostatic bell or disc spray" means an electrostatic spray coating method in which a rapidly-spinning bell- or disc-shaped applicator is used to create a fine mist and apply the coating with high transfer efficiency.

(Source: Added at 17 Ill. Reg. 16504 effective September 27, 1993)

Section 211.1910 Electrostatic Spray

"Electrostatic spray" means a spray coating method in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the object due to the electrostatic potential between them.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1930 Emission Rate

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"Emission rate" means, if not otherwise stated in a specific provision, the total quantity of a particular specified air contaminant discharged into the atmosphere in any one-hour period. For example, if not otherwise specified in 35 Ill. Adm. Code 218 or 219, emission rate means the total quantity of volatile organic material discharged into the atmosphere in any one-hour period.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1950 Emission Unit

"Emission unit" means any part or activity at a stationary source that emits or has the potential to emit any air pollutant.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1970 Enamel

"Enamel" means a coating that cures by chemical cross-linking of its base resin. Enamels can be distinguished from lacquers because enamels are not readily resoluble in their original solvent.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.1990 Enclose

"Enclose" means, for purpose of 35 Ill. Adm. Code 215.481(c), 215.482(b), 218.481(c), 218.482(b), 219.481(c) and 219.482(b), to cover any volatile organic liquid surface that is exposed to the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2010 End Sealing Compound Coat

"End sealing compound coat" means a can coating applied to can ends which functions as a gasket when the end is assembled onto the can.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.2050 Ethanol Blend Gasoline

"Ethanol blend gasoline" means a mixture of gasoline and at least 9% ethanol by volume.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2070 Excess Air

"Excess air" means air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2090 Excessive Release

"Excessive release" means, for purposes of 35 Ill. Adm. Code 215.144, 218.144 and 219.144, a discharge of more than 295 g (0.65 lbs) of mercaptans and/or hydrogen sulfide into the atmosphere in any 5-minute period.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2110 Existing Grain-Drying Operation

"Existing grain-drying operation" means any grain-drying operation the construction or modification of which was commenced prior to June 30, 1975.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2130 Existing Grain-Handling Operation

"Existing grain-handling operation" means any grain-handling operation the construction or modification of which was commenced prior to June 30, 1975.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2150 Exterior Base Coat

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"Exterior base coat" means a can coating applied to the exterior of a two-piece can body to provide protection to the metal or to provide background for any lithographic or printing operation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2170 Exterior End Coat

"Exterior end coat" means a can coating applied to the exterior end of a can to provide protection to the metal.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2190 External Floating Roof

"External floating roof" means a cover over an open top storage tank consisting of a double deck or pontoon single deck which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2210 Extreme Performance Coating

"Extreme performance coating" means any coating which during intended use is exposed to any or all of the following: ambient weather conditions, temperatures consistently above 95°C (203°F), detergents, abrasive and scouring agents, solvents, or corrosive atmospheres.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.2230 Fabric Coating

"Fabric coating" means any protective, decorative or functional coating which is applied onto or impregnated into a textile fabric which is delivered to the coating line as a roll, unwound and coated as a continuous substrate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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Section 211.2250 Fabric Coating Line

"Fabric coating line" means a coating line in which any protective, decorative, or functional coating is applied onto or impregnated into a textile fabric which is delivered to the coating line as a roll, unwound and coated as a continuous substrate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2270 Federally Enforceable Limitations and Conditions

"Federally enforceable limitations and conditions" means all limitations and conditions which are enforceable by the Administrator of the USEPA, including those requirements developed pursuant to 40 CFR Parts 60 and 61; requirements within any applicable implementation plan; and any permit requirements established pursuant to 40 CFR 52.21 or 40 CFR 52.737 or under regulations approved pursuant to 40 CFR Part 51 Subpart I, 40 CFR 51.166 and 40 CFR Part 70.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2310 Final Repair Coat

"Final repair coat" means, with respect to automobile or light-duty truck assembly or manufacturing, a coating which is used to repaint topcoat which is damaged during vehicle assembly.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2330 Firebox

"Firebox" means the chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2350 Fixed-Roof Tank

"Fixed-roof tank" means a cylindrical shell with a permanently

affixed roof.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2370 Flexographic Printing

"Flexographic printing" means a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2390 Flexographic Printing Line

"Flexographic printing line" means a printing line performing flexographic printing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2410 Floating Roof

"Floating roof" means a roof on a stationary tank, reservoir, or other container which moves vertically upon change in volume of the stored material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2430 Fountain Solution

"Fountain solution" means the solution used in certain methods of printing which is applied to the image plate to maintain hydrophilic properties of the non-image areas.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2450 Freeboard Height

"Freeboard height" means, for open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank, and for cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2470 Fuel Combustion Emission Unit or Fuel Combustion Emission Source

"Fuel combustion emission unit" or "Fuel combustion emission source" means any furnace, boiler, or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2490 Fugitive Particulate Matter

"Fugitive particulate matter" means any particulate matter emitted into the atmosphere other than through a stack, provided that nothing in this definition or in 35 Ill. Adm. Code 212, Subpart K shall exempt any emission unit from compliance with other provisions of 35 Ill. Adm. Code 212 otherwise applicable merely because of the absence of a stack.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2510 Full Operating Flowrate

"Full operating flowrate" means maximum operating capacity of the source, emission unit or process unit, as applicable.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2530 Gas Service

"Gas service" means that the equipment or component contains process fluid that is in the gaseous state at operating conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2550 Gas/Gas Method

"Gas/gas method" means either of two methods for determining VOM capture efficiency which rely only on gas phase measurements.

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The first method requires construction of a temporary total enclosure (TTE) to ensure that all would-be fugitive emissions are measured. The second method uses the building or room which houses the coating line, printing line or other emission unit as an enclosure. The second method requires that all other VOM lines or emission units within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2570 Gasoline

"Gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kPa or greater which is used as a fuel for internal combustion engines.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2590 Gasoline Dispensing Operation or Gasoline Dispensing Facility

"Gasoline dispensing operation" or "Gasoline dispensing facility" means any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2650 Grain

"Grain" means the whole kernel or seed of corn, wheat, oats, soybeans and any other cereal or oil seed plant and the normal fines, dust and foreign matter which results from harvesting, handling or conditioning. The grain shall be unaltered by grinding or processing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2670 Grain-Drying Operation

"Grain-drying operation" means any operation, excluding aeration,



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by which moisture is removed from grain and which typically uses forced ventilation with the addition of heat.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2690 Grain-Handling and Conditioning Operation

"Grain-handling and conditioning operation" means a grain storage facility and its associate grain transfer, cleaning, drying, grinding and mixing operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2710 Grain-Handling Operation

"Grain-handling operation" means any operation where one or more of the following grain-related processes (other than grain-drying operation, portable grain-handling equipment, one-turn storage space, and excluding flour mills and feed mills) are performed: receiving, shipping, transferring, storing, mixing or treating of grain or other processes pursuant to normal grain operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2730 Green-Tire Spraying

"Green tire spraying" means the spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2750 Green Tires

"Green tires" means assembled tires before molding and curing have occurred.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2770 Gross Heating Value

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"Gross heating value" means amount of heat produced when a unit quantity of fuel is burned to carbon dioxide and water vapor, and the water vapor condensed as described in ASTM D2015-66, D900-55, D1826-64 and D240-64 incorporated by reference in Section 211.101 of this Part.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2790 Gross Vehicle Weight Rating

"Gross vehicle weight rating" means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2810 Heated Airless Spray

"Heated airless spray" means an airless spray coating method in which the coating is heated just prior to application.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2830 Heatset

"Heatset" means a class of lithography which requires a heated dryer to solidify the printing inks.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2850 Heatset-Web-Offset Lithographic Printing Line

"Heatset-web-offset lithographic printing line" means a lithographic printing line in which a blanket cylinder is used to transfer ink from a plate cylinder to a substrate continuously fed from a roll or an extension process and an oven is used to solidify the printing inks.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2870 Heavy Liquid



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"Heavy liquid" means liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3°K (70°F) established in a standard reference text or as determined by ASTM method D2879-86 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112); or which has 0.1 Reid Vapor Pressure as determined by ASTM method D323-82 (incorporated by reference in 35 Ill. Adm. Code 215.105, 218.112 and 219.112); or which when distilled requires a temperature of 421.95°K (300°F) or greater to recover 10 percent of the liquid as determined by ASTM method D86-82 (incorporated by reference in 35 Ill. Adm. Code 215.105, 218.112 and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2890 Heavy Metals

"Heavy metals" means, for the purposes of Section 9.4 of the Act, elemental, ionic, or combined forms of arsenic, cadmium, mercury, chromium, nickel and lead.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2910 Heavy Off-Highway Vehicle Products

"Heavy off-highway vehicle products" means heavy construction, mining, farming, or material handling equipment; heavy industrial engines; diesel-electric locomotives and associated power generation equipment; and the constituent parts of such equipment or engines.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2930 Heavy Off-Highway Vehicle Products Coating

"Heavy off-highway vehicle products coating" means any protective, decorative or functional coating applied onto the surface of heavy off-highway vehicle products. However, a high temperature aluminum coating to a diesel-electric locomotive in Cook County is not a heavy off-highway vehicle products coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2950 Heavy Off-Highway Vehicle Products Coating

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"Heavy off-highway vehicle products coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of heavy off-highway vehicle products. However, application of a high temperature aluminum coating to a diesel-electric locomotive in Cook County is not a heavy off-highway vehicle products coating line or part of a heavy off-highway vehicle products coating line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2970 High Temperature Aluminum Coating

"High temperature aluminum coating" means a coating that is certified to withstand a temperature of 537.8°C (1000°F) for 24 hours.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.2990 High Volume Low Pressure (HVLP) Spray

"High volume low pressure (HVLP) spray" means equipment used to apply coatings by means of a spray gun which operates between 0.1 and 10 psig air pressure.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3010 Hood

"Hood" means a partial enclosure or canopy for capturing and exhausting, by means of a draft, the organic vapors or other fumes produced from a coating line, printing line or other emission unit.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3030 Hot Well

"Hot well" means the reservoir of a condensing unit receiving the condensate from a barometric condenser.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.3050 Housekeeping Practices

"Housekeeping practices" means those activities specifically defined in the list of housekeeping practices developed by the Joint EPA - Industry Task Force and included herein under 35 Ill. Adm. Code 212.461.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3070 Incinerator

"Incinerator" means a combustion apparatus in which refuse is burned.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3090 Indirect Heat Transfer

"Indirect heat transfer" means transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3110 Ink

"Ink" means a coating used in printing, impressing, or transferring words, pictures, designs or other images onto a substrate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3130 In-Process Tank

"In-process tank" means, with respect to manufacture of pharmaceuticals, a container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating or cleaning operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.3150 In-Situ Sampling Systems

"In-situ sampling systems" means nonexractive samplers or in-line samplers.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3170 Interior Body Spray Coat

"Interior body spray coat" means a can coating applied by spray to the interior of a can body.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3190 Internal-Floating Roof

"Internal-floating roof" means a cover or roof in a fixed-roof tank which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3210 Internal Transferring Area

"Internal transferring area" means areas and associated equipment used for conveying grain among the various grain operations.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3230 Lacquers

"Lacquers" means, with respect to coating of wood furniture, any clear wood finishes formulated with nitrocellulose or synthetic resins to dry by evaporation without chemical reaction, including clear lacquer sanding sealers.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3250 Large Appliance

"Large appliance" means any residential and commercial washers.



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dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3270 Large Appliance Coating

"Large appliance coating" means any protective, decorative or functional coating applied onto the surface of large appliances or to the constituent metal parts (including, but not limited to, doors, cases, lids, panels, and interior support parts) of large appliances.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3290 Large Appliance Coating Line

"Large appliance coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of large appliances or to the constituent metal parts (including but not limited to doors, cases, lids, panels and interior parts) of large appliances.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3310 Light Liquid

"Light liquid" means VOM in the liquid state which is not defined as heavy liquid.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3330 Light-Duty Truck

"Light-duty truck" means any motor vehicle with a gross vehicle weight rating of 3,850 kg or less, designed mainly to transport property.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3350 Light Oil

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"Light oil" means a liquid condensed or absorbed from coke oven gas composed of benzene, toluene, and xylene.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3370 Liquid/Gas Method

"Liquid/gas method" means either of two methods for determining VOM capture efficiency which require both gas phase and liquid phase measurements and analysis. The first method requires construction of a temporary total enclosure (TTE) to ensure that all would-be fugitive emissions are measured. The second method uses the building or room which houses the coating line, printing line or other emission unit as an enclosure. The second method requires that all other VOM lines or emission units within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3390 Liquid-Mounted Seal

"Liquid-mounted seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3410 Liquid Service

"Liquid service" means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3430 Liquids Dripping

"Liquids dripping" means any visible leaking from a seal including spraying, misting, clouding and ice formation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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Section 211.3450 Lithographic Printing Line

"Lithographic printing line" means a web or sheetfed printing line in which each roll printer uses a roll where both the image and non-image areas are essentially in the same plane (planographic).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3470 Load-Out Area

"Load-out area" means any area where grain is transferred from the grain-handling operation to any vehicle for shipment or delivery.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3490 Low Solvent Coating

"Low solvent coating" means a coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3510 Magnet Wire

"Magnet wire" means aluminum or copper wire which may subsequently be used in an electromagnetic device.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3530 Magnet Wire Coating

"Magnet wire coating" means any electrically insulating varnish or enamel or other protective, decorative or functional coating applied onto the surface of magnet wire.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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Section 211.3550 Magnet Wire Coating Line

"Magnet wire coating line" means a coating line in which any electrically insulating varnish or enamel or other protective, decorative, or functional coating is applied onto the surface of magnet wire.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3570 Major Dump Pit

"Major dump pit" means any dump pit with an annual grain through-put of more than 300,000 bushels, or which receives more than 40% of the annual grain through-put of the grain-handling operation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3590 Major Metropolitan Area (MMA)

"Major Metropolitan Area (MMA)" means any county or group of counties which is defined by the following Table:

## MAJOR METROPOLITAN AREAS IN ILLINOIS (MMA's)

## MMA

## COUNTIES INCLUDED IN MMA

Champaign-Urbana  
Chicago

Champaign  
Cook, Lake, Will, DuPage,  
McHenry, Kane, Grundy,  
Kendall, Kankakee  
Macon

Decatur  
Peoria  
Rockford  
Rock Island - Moline  
Springfield  
St. Louis (Illinois)  
Bloomington - Normal

Peoria, Tazewell  
Winnebago  
Rock Island  
Sangamon  
St. Clair, Madison  
McLean

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3610 Major Population Area (MPA)

"Major Population Area (MPA)" means areas of major population

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concentration in Illinois, as described below:

The area within the counties of Cook; Lake; DuPage; Will; the townships of Burton, Richmond, McHenry, Greenwood, Nunda, Door, Algonquin, Grafton and the municipality of Woodstock, plus a zone extending two miles beyond the boundary of said municipality located in McHenry County: the townships of Dundee, Rutland, Elgin, Plato, St. Charles, Campton, Geneva, Blackberry, Batavia, Sugar Creek and Aurora located in Kane County: and the municipalities of Kankakee, Bradley and Bourbonnais, plus a zone extending two miles beyond the boundaries of said municipalities in Kankakee County.

The area within the municipalities of Rockford and Loves Park, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Rock Island, Moline, East Moline, Carbon Cliff, Milan, Oak Grove, Silvis, Hampton, Greenwood and Coal Valley, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Galesburg and East Galesburg, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bartonville, Peoria and Peoria Heights, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Pekin, North Pekin, Marquette Heights, Creve Coeur and East Peoria, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Bloomington and Normal, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Champaign, Urbana and Savoy, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the municipalities of Decatur, Mt. Zion, Harristown and Forsyth, plus a zone extending two

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miles beyond the boundaries of said municipalities.

The area within the municipalities of Springfield, Leland Grove, Jerome, Southern View, Grandview, Sherman and Chatham, plus a zone extending two miles beyond the boundaries of said municipalities.

The area within the townships of Godfrey, Foster, Wood River, Fort Russell, Chouteau, Edwardsville, Venice, Nameoki, Alton, Granite City and Collinsville located in Madison County: and the townships of Stites, Canteen, Centreville, Caseyville, St. Clair, Sugar Loaf and Stookey located in St. Clair County.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.3630 Manufacturing Process

"Manufacturing process" means a method whereby a process emission unit or series of process emission units is used to convert raw materials, feed stocks, subassemblies, or other constituent parts into a product, either for sale or for use in a subsequent manufacturing process.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.3650 Marine Terminal

"Marine terminal" means a facility primarily engaged in loading and unloading watercraft.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.3670 Material Recovery Section

"Material recovery section" means, with respect to manufacture of polystyrene resin, any equipment designed to transport and recover styrene monomer and other impurities from other products and by-products in a polystyrene plant, including but not limited to the styrene devolatilizer unit and styrene recovery unit.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)



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## Section 211.3690 Maximum Theoretical Emissions

"Maximum theoretical emissions" means the quantity of volatile organic material emissions that theoretically could be emitted by a stationary source before add-on controls based on the design capacity or maximum production capacity of the source and 8760 hours per year. The design capacity or maximum production capacity includes use of coating(s) or ink(s) with the highest volatile organic material content actually used in practice by the source, provided, however, the Agency shall, when appropriate, and upon request by the permit applicant, limit the "maximum theoretical emissions" of a source by the imposition of conditions in a federally enforceable operating permit for such source. Such conditions shall not be inconsistent with requirements of the Clean Air Act, as amended, or any applicable requirements established by the Board. Such conditions shall be established in place of design capacity or maximum production capacity in calculating the "maximum theoretical emissions" for such source and may include, among other things, the establishment of production limitations, capacity limitations, or limitations on the volatile organic material content of coatings or inks, or the hours of operation of any emission unit, or a combination of any such limitations. Production or capacity limitations shall be established on a basis of no longer than one month except in those cases where a limit spanning a longer period of time is appropriate. In such cases, a limit or limitation must not exceed an annual limit rolled on a basis of at most a month; that is, for example, a monthly production or a capacity level must be determined for each parameter subject to a production or capacity limitation and added to the eleven prior monthly levels for monthly comparison with the annual limit. Any production or capacity limitations shall be verified through appropriate recordkeeping.

(Board Note: The USEPA may deem operating permits which do not conform to the operating permit program requirements and the requirements of USEPA's underlying regulations, including the requirement that limitations be quantifiable and enforceable as a practical matter, not "federally enforceable.")

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3710 Metal Furniture

"Metal furniture" means a furniture piece including, but not limited to, tables, chairs, waste baskets, beds, desks, lockers,

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benches, shelving, file cabinets, lamps, and room dividers made in whole or in part of metal.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3730 Metal Furniture Coating

"Metal furniture coating" means any protective, decorative or functional coating applied onto the surface of any metal furniture or any metal part which will be assembled with other metal, wood, fabric, plastic or glass parts to form metal furniture. However, an adhesive is not a metal furniture coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3750 Metal Furniture Coating Line

"Metal furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of any metal furniture or any metal part which will be assembled with other metal, wood, fabric or glass parts to form metal furniture. However, application of an adhesive is not a metal furniture coating line or part of a metal furniture coating line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3770 Metallic Shoe-Type Seal

"Metallic shoe-type seal" means a primary or secondary seal constructed of metal sheets (shoes) which are joined together to form a ring, springs or levers which attach the shoes to the floating roof and hold the shoes against the tank wall, and a coated membrane which is suspended from the shoes to the floating roof.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.3790 Miscellaneous Fabricated Product Manufacturing Process

"Miscellaneous fabricated product manufacturing process" means:



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A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting VOM:

Adhesives to fabricate or assemble parts or products;

Asphalt solutions to paper or fiberboard;

Asphalt to paper or felt;

Coatings or dye to leather;

Coatings to plastic;

Coatings to rubber or glass;

Disinfectant material to manufactured items;

Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pellets;

Resin solutions to fiber substances;

Rubber solutions to molds; or

Viscose solutions for food casings.

The storage and handling of formulations associated with the process described above and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition would be included.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

#### Section 211.3810 Miscellaneous Formulation Manufacturing Process

"Miscellaneous formulation manufacturing process" means:

A manufacturing process which compounds one or more of the following and is capable of emitting VOM:

Adhesives;

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Asphalt solutions;

Caulks, sealants, or waterproofing agents;

Coatings, other than paint and ink;

Concrete curing compounds;

Dyes;

Friction materials and compounds;

Resin solutions;

Rubber solutions; or

Viscose solutions.

The storage and handling of formulations associated with the process described above, and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition would be included.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

#### Section 211.3830 Miscellaneous Metal Parts and Products

"Miscellaneous metal parts and products" for the purpose of 35 Ill. Adm. Code 215. Subpart F, shall include farm machinery, garden machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category in which metal parts or products under the Standard Industrial Classification Code for Major Groups 33, 34, 35, 36, 37, 38 or 39 are coated, with the exception of the following: coating lines subject to 35 Ill. Adm. Code 215.204(a) through (i) and (k), architectural coatings, automobile or light-duty truck refinishing, the exterior of marine vessels and the customized top coating of automobiles and trucks if production is less than thirty-five vehicles per day.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

#### Section 211.3850 Miscellaneous Metal Parts and Products Coating

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"Miscellaneous metal parts and products coating" means, for purposes of 35 Ill. Adm. Code 218 and 219, any protective, decorative or functional coating applied onto the surface of any metal part or metal product, even if attached to or combined with a nonmetal part or product.

- a) Including but not limited to underbody anti-chip (e.g., underbody plastisol) automobile and light-duty truck coatings;
- b) But not including the following coatings which are subject to separate regulations: can coatings, coil coatings, metal furniture coatings, large appliance coatings, magnet wire coatings, and prime coat, primer surfacer coat, topcoat and final repair coat for automobile and light-duty trucks; and
- c) Not including the following coatings: architectural coatings, automobile or light-duty truck refinishing coatings, coatings applied to the exterior of marine vessels, coatings applied to the exterior of airplanes, customized topcoat for automobiles and trucks if production is less than thirty-five vehicles per day, and high temperature aluminum coating applied to diesel-electric locomotives in Cook County.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3870 Miscellaneous Metal Parts or Products Coating  
Line

"Miscellaneous metal parts or products coating line" means, for purposes of 35 Ill. Adm. Code 218 and 219, a coating line in which any protective, decorative, or functional coating is applied onto the surface of any metal part or metal product, even if attached to or combined with a nonmetal part or product;

- a) Including but not limited to underbody anti-chip (e.g., underbody plastisol) automobile and light-duty truck coatings;
- b) But not including the following coatings which are subject to separate regulations: can coatings, coil coatings, metal furniture coatings, large appliance coatings, magnet wire coatings, and prime coat, primer surfacer coat, topcoat and final repair coat for

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automobile and light-duty trucks; and

- c) Not including the following coatings: architectural coatings, automobile or light-duty truck refinishing coatings, coatings applied to the exterior of marine vessels, coatings applied to the exterior of airplanes, customized topcoat for automobiles and trucks if production is less than thirty-five vehicles per day, and high temperature aluminum coating applied to diesel-electric locomotives in Cook County.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.3890 Miscellaneous Organic Chemical Manufacturing  
Process

"Miscellaneous organic chemical manufacturing process" means:

A manufacturing process which produces, by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting volatile organic material (VOM):

Chemicals listed in Appendix A of 35 Ill. Adm. Code 215, 218 or 219, as applicable;

Chlorinated and sulfonated compounds;

Cosmetic, detergent, soap, or surfactant intermediaries or specialties and products;

Disinfectants;

Food additives;

Oil and petroleum product additives;

Plasticizers;

Resins or polymers;

Rubber additives;

Sweeteners; or

Varnishes.

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The storage and handling of formulations associated with the process described above and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition would be included.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.3910 Mixing Operation

"Mixing operation" means the operation of combining two or more ingredients, of which at least one is a grain.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.3930 Monitor

"Monitor" means to measure and record.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.3970 Multiple Package Coating

"Multiple package coating" means a coating made from more than one different ingredient which must be mixed prior to using and has a limited pot life due to the chemical reaction which occurs upon mixing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.3990 New Grain-Drying Operation

"New grain-drying operation" means any grain-drying operation the construction or modification of which commenced on or after June 30, 1975.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.4010 New Grain-Handling Operation

"New grain-handling operation" means any grain-handling operation the construction or modification of which commenced on or after

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June 30, 1975.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.4030 No Detectable Volatile Organic Material Emissions

"No detectable volatile organic material emissions" means a discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(c) (incorporated by reference in 35 Ill. Adm. Code 215.105, 218.112, and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.4050 Non-contact Process Water Cooling Tower

"Non-contact process water cooling tower" means a towerlike device in which water is cooled by contact with atmospheric air and evaporation, where such water has been or will be used for cooling of a process stream where VOM is present without intentional direct contact of the cooling water and process stream.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.4070 Offset

"Offset" means, with respect to printing, use of a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

## Section 211.4090 One Hundred Percent Acid

"One hundred percent acid" means, with respect to sulfuric and nitric acids, acid with a specific gravity of 1.8205 at 30° C in the case of sulfuric acid and 1.4952 at 30° C in the case of nitric acid.



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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4110 One-Turn Storage Space

"One-turn storage space" means that space used to store grain with a total annual through-put not in excess of the total bushel storage of that space.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4130 Opacity

"Opacity" means a condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purposes of these regulations, the following equivalence between opacity and Ringelmann shall be employed:

Opacity Percent	Ringelmann
10	0.5
20	1.
30	1.5
40	2.
50	3.
60	4.
80	5.
100	

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4150 Opaque Stains

"Opaque stains" means all stains that are not semi-transparent stains.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4170 Open Top Vapor Degreasing

"Open top vapor degreasing" means the batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4190 Open-Ended Valve

"Open-ended valve" means any valve, except pressure relief devices, having one side of the valve in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4210 Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility

"Operator of gasoline dispensing operation" or "Operator of a gasoline dispensing facility" means any person who is the lessee of or operates, controls or supervises a gasoline dispensing operation or a gasoline dispensing facility.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4230 Organic Compound

"Organic compound" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.4250 Organic Material and Organic Materials

- a) "Organic materials" means, for the purposes of Section 9.4 of the Act, any chemical compound of carbon, including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, including polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans and polynuclear aromatic hydrocarbons but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates and ammonium carbonate are not organic materials.

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- b) "Organic material" means, for the purpose of 35 Ill. Adm. Code 215, 218 and 219, any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates, and ammonium carbonate.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4270 Organic Vapor

"Organic vapor" means the gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4290 Oven

"Oven" means, with respect to a coating line or printing line, a chamber within which heat is used for one or more of the following purposes: dry, bake, cure, or polymerize a coating or ink.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4310 Overall Control

"Overall control" means the product of the capture efficiency and the control device efficiency.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4330 Overvarnish

"Overvarnish" means a transparent coating applied directly over ink or coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

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Section 211.4350 Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility

"Owner of a gasoline dispensing operation" or "Owner of a gasoline dispensing facility" means any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing operation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4370 Owner or Operator

"Owner or operator" means any person who owns, operates, leases, controls, or supervises a source, an emission unit or air pollution control equipment.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4390 Packaging Rotogravure Printing

"Packaging rotogravure printing" means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4410 Packaging Rotogravure Printing Line

"Packaging rotogravure printing line" means a rotogravure printing line performing packaging rotogravure printing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4430 Pail

"Pail" means any cylindrical shipping container of 1 to 12-gallon capacity and constructed of 29-gauge and heavier material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.4450 Paint Manufacturing Source or Paint



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Manufacturing Plant

"Paint manufacturing source" or "Paint manufacturing plant" means a source that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes, or pigmented surface coatings.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4470 Paper Coating

"Paper coating" means any protective, decorative or functional coating applied on paper, plastic film, or metallic foil to make certain products, including but not limited to adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper, or pressure sensitive tapes. For purposes of 35 Ill. Adm. Code 218 and 219, paper coating includes coatings applied by impregnation or saturation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4490 Paper Coating Line

"Paper coating line" means a coating line in which any protective, decorative, or functional coating is applied on, saturated into, or impregnated into paper, plastic film, or metallic foil to make certain products, including but not limited to adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper and pressure sensitive tapes. For purposes of 35 Ill. Adm. Code 218 and 219, a paper coating line includes saturation or impregnation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4510 Particulate Matter

"Particulate matter" means any solid or liquid material, other than water, which exists in finely divided form.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4530 Parts Per Million (Volume) or PPM (Vol)

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"Parts per million (volume)" or "ppm (vol)" means a volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volume of gas.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4550 Person

"Person" means any individual; corporation; partnership; firm; association; trust; estate; public or private institution; group; state; municipality; political subdivision of a state; any agency, department, or instrumentality of the United States; and any officer, agent, or employee of any of the above.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4590 Petroleum

"Petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4610 Petroleum Liquid

"Petroleum liquid" means crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in ASTM D-396-69 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112), gas turbine fuel oils Numbers 2-GT through 4-GT as specified in ASTM D-2880-71 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112) or diesel fuel oils Numbers 2-D and 4-D, as specified in ASTM D-975-68 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4630 Petroleum Refinery

"Petroleum refinery" means any source engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum, or through redistillation, cracking, or reforming of unfinished



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petroleum derivatives.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4650      Pharmaceutical

"Pharmaceutical" means any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment, or cure of disease in human and animal.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4670      Pharmaceutical Coating Operation

"Pharmaceutical coating operation" means a device in which a coating is applied to a pharmaceutical, including air drying or curing of the coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4690      Photochemically Reactive Material

"Photochemically reactive material" means any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials, it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation: 5 percent. This definition does not apply to perchloroethylene or trichloroethylene.

A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.

A combination of ethylbenzene, ketones having branched

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hydrocarbon structures or toluene: 20 percent.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4710      Pigmented Coatings

"Pigmented coatings" means opaque coatings containing binders and colored pigments which are formulated to conceal the wood surface either as an undercoat or topcoat.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4730      Plant

"Plant" means, for purposes other than 35 Ill. Adm. Code 215, 218 and 219, all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual," 1987 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4750      Plasticizers

"Plasticizers" means substances added to a polymer composition to soften and add flexibility to the product.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4770      PM-10

"PM-10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers, as measured by the applicable test methods specified by rule. Ambient air concentrations for PM-10 are usually expressed in micrograms per cubic meter (ug/m<sup>3</sup>).

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4790 Pneumatic Rubber Tire Manufacture

"Pneumatic rubber tire manufacture" means the production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4810 Polybasic Organic Acid Partial Oxidation Manufacturing Process

"Polybasic organic acid partial oxidation manufacturing process" means any process involving partial oxidation of hydrocarbons with air to manufacture polybasic acids or their anhydrides, such as maleic anhydride, phthalic anhydride, terephthalic acid, isophthalic acid, trimellitic anhydride.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4870 Polystyrene Plant

"Polystyrene plant" means any collection of process units and associated storage facilities at a source engaged in using styrene to manufacture polystyrene resin.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4890 Polystyrene Resin

"Polystyrene resin" means a substance consisting of styrene polymer and additives which is manufactured at a polystyrene plant.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4910 Portable Grain-Handling Equipment

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"Portable grain-handling equipment" means any equipment (excluding portable grain dryers) that is designed and maintained to be movable primarily for use in a non-continuous operation for loading and unloading one-turn storage space and is not physically connected to the grain elevator, provided that the manufacturer's rated capacity of the equipment does not exceed 10,000 bushels per hour.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4930 Portland Cement Manufacturing Process Emission Source

"Portland cement manufacturing process emission source" means any items of process equipment or manufacturing processes used in or associated with the production of portland cement, including, but not limited to, a kiln, clinker cooler, raw mill system, finish mill system, raw material dryer, material storage bin or system, material conveyor belt or other transfer system, material conveyor belt transfer point, bagging operation, bulk unloading station, or bulk loading station.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4950 Portland Cement Process or Portland Cement Manufacturing Plant

"Portland cement process" or "Portland cement manufacturing plant" means any facility or plant manufacturing portland cement by either the wet or dry process.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4990 Power Driven Fastener Coating

"Power driven fastener coating" means the coating of nail, staple, brad and finish nail fasteners where such fasteners are fabricated from wire or rod of 0.0254 inch diameter or greater, where such fasteners are bonded into coils or strips, such coils and strips containing a number of such fasteners, which fasteners are manufactured for use in power tools, and which fasteners must conform with formal standards for specific uses established by various federal and national organizations including Federal Specification FF-N-105b of the General Services Administration



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dated August 23, 1977 (does not include any later amendments or editions; U.S. Army Armament Research and Development Command, Attn: DRDAR-RST, Rock Island, IL 61201), Bulletin UM-25d of the U.S. Department of Housing and Urban Development - Federal Housing Administration dated September 5, 1973 (does not include any later amendments or editions; Department of HUD, 547 W. Jackson Blvd., Room 1005, Chicago, IL 60606), and the Model Building Code of the Council of American Building Officials, and similar standards. For the purposes of this definition, the terms "brad" and "finish nail" refer to single leg fasteners fabricated in the same manner as staples. The application of coatings to staple, brad, and finish nail fasteners may be associated with the incremental forming of such fasteners in a cyclic or repetitious manner (incremental fabrication) or with the forming of strips of such fasteners as a unit from a band of wires (unit fabrication).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5030 Pressure Release

"Pressure release" means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5050 Pressure Tank

"Pressure tank" means a tank in which fluids are stored at a pressure greater than atmospheric pressure.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5070 Prime Coat

"Prime coat" means the first of two or more coatings applied to a substrate in a multiple coat operation.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5090 Primer Surfacer Coat

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"Primer surfacer coat" means a coating used to touch up areas on the surface of automobile or light-duty truck bodies not adequately covered by the prime coat before application of the top coat. The primer surfacer coat is applied between the prime coat and topcoat. An anti-chip coating applied to main body parts (e.g., rocker panels, bottom of doors and fenders, and leading edge of roof) is a primer surfacer coat. The primer surfacer coat is also referred to as a "guide coat."

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5110 Primer Surfacer Operation

"Primer surfacer operation" means the application area(s), flashoff area(s) and oven(s) that are used to apply and dry or cure primer surfacer coat on a single assembly line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5130 Primers

"Primers" means any coatings formulated and applied to substrates to provide a firm bond between the substrate and subsequent coats.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5150 Printing

"Printing" means the application of words, designs, pictures, or other images to a substrate using ink.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5170 Printing Line

"Printing line" means an operation consisting of a series of one or more roll printers and any associated roll coaters, drying areas, and ovens wherein one or more coatings are applied, dried, and/or cured.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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## Section 211.5185 Process Emission Source

"Process emission source" means any stationary emission source other than a fuel combustion emission unit or an incinerator.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5190 Process Emission Unit

"Process emission unit" means any stationary emission unit other than a fuel combustion emission unit or an incinerator.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5210 Process Unit

"Process unit" means equipment and components assembled to produce, as intermediate or final products, one or more chemicals. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product. For purposes of Subpart Q of Parts 215, 218 and 219, a process unit must produce one or more of the chemicals listed in Appendix A of 35 Ill. Adm. Code 215, 218 or 219, as applicable.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5230 Process Unit Shutdown

"Process unit shutdown" means a work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare equipment and components and technically feasible bypassing of equipment and components without stopping production is not a process unit shutdown.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5250 Process Weight Rate

"Process weight rate" means the actual weight or engineering

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approximation thereof of all materials except liquid and gaseous fuels and combustion air introduced into any process per hour. For a cyclical or batch operation, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours of operation excluding any time during which the equipment is idle. For continuous processes, the process weight rate shall be determined by dividing such actual weight or engineering approximation thereof by the number of hours in one complete operation, excluding any time during which the equipment is idle.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5270 Production Equipment Exhaust System

"Production equipment exhaust system" means a system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges, and other process emission units.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5310 Publication Rotogravure Printing Line

"Publication rotogravure printing line" means a rotogravure printing line printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements or other types of non-packaging printed materials.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5330 Purged Process Fluid

"Purged process fluid" means liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.5350 Reactor

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"Reactor" means a vat, vessel, or other device in which chemical reactions take place.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5370 Reasonably Available Control Technology (RACT)

"Reasonably available control technology (RACT)" means the lowest emission limitation that an emission unit is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5410 Refiner

"Refiner" means any person who owns, leases, operates, controls, or supervises a refinery.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5430 Refinery Fuel Gas

"Refinery fuel gas" means any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5450 Refinery Fuel Gas System

"Refinery fuel gas system" means a system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls, and distribution piping.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5470 Refinery Unit or Refinery Process Unit

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"Refinery unit" or "Refinery process unit" means a set of equipment which are a part of a basic process operation such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5490 Refrigerated Condenser

"Refrigerated condenser" means a surface condenser in which the coolant supplied to the condenser has been cooled by a mechanical device, other than by a cooling tower or evaporative spray cooling, such as refrigeration unit or steam chiller unit.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5510 Reid Vapor Pressure

"Reid vapor pressure" means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases as determined by the method referenced in the Section where the term is used or by ASTM D123-89 (if not referenced in the Section where the term is used), incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5550 Repair Coat

"Repair coat" means, with respect to coating wood furniture, coatings used to correct imperfections or damage to furniture surface.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5570 Repaired

"Repaired" means, for the purpose of Subpart Q of 35 Ill. Adm. Code 215, 218 and 219, that equipment or a component has been adjusted, or otherwise altered, to eliminate a leak.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)



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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5590 Residual Fuel Oil

"Residual fuel oil" means fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils ASTM D-396-69 (1971) incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5610 Restricted Area

"Restricted area" means the area within the boundaries of any "municipality" as defined in the Illinois Municipal Code, plus a zone extending one mile beyond the boundaries of any such municipality having a population of 1000 or more according to the latest federal census.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5630 Retail Outlet

"Retail outlet" means any gasoline dispensing operation at which gasoline is sold or offered for sale for use in motor vehicles.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5650 Ringelmann Chart

"Ringelmann chart" means the chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967, or any adaptation thereof which has been approved by the Agency.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5670 Roadway

"Roadway" means any street, highway, road, alley, sidewalk, parking lot, airport, rail bed or terminal, bikeway, pedestrian mall or other structure used for transportation purposes.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5690 Roll Coater

"Roll coater" means an apparatus used for roll coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5710 Roll Coating

"Roll coating" means a method of applying a coating to a moving substrate by means of rotating hard rubber, elastomeric or metal rolls.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5730 Roll Printer

"Roll printer" means an apparatus used for roll printing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5750 Roll Printing

"Roll printing" means the method of printing by means of a series of rolls, usually of hard rubber or metal, each with only partial coverage.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5770 Rotogravure Printing

"Rotogravure printing" means roll printing in which the pattern to be applied is recessed in the roll relative to the non-image area.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.5790 Rotogravure Printing Line

"Rotogravure printing line" means a printing line performing



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rotogravure printing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5810 Safety Relief Valve

"Safety relief valve" means a valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5830 Sandblasting

"Sandblasting" means the use of a mixture of sand and air at high pressures for cleaning and/or polishing any type of surface.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5850 Sanding Sealers

"Sanding sealers" means any coatings formulated for and applied to bare wood for sanding and to seal the wood for subsequent application of varnish. To be considered a sanding sealer a coating must be clearly labelled as such.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5870 Screening

"Screening" means separating material according to size by pressing undersized material through one or more mesh surfaces (screens) in series, and retaining oversized material on the mesh surfaces (screens).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5890 Sealer

"Sealer" means a coating containing binders which seals wood prior to the application of the subsequent coatings.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5910 Semi-Transparent Stains

"Semi-transparent stains" means stains containing dyes or semi-transparent pigments which are formulated to enhance wood grain and change the color of the surface but not to conceal the surface, including, but not limited to, sap stain, toner, non-grain raising stains, pad stain, or spatter stain.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5930 Sensor

"Sensor" means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5950 Set of Safety Relief Valves

"Set of safety relief valves" means one or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5970 Sheet Basecoat

"Sheet basecoat" means a coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two-piece or three-piece cans.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.5990 Shotblasting

"Shotblasting" means the use of a mixture of any metallic or non-metallic substance and air at high pressures for cleaning and/or polishing any type of surface.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6010 Side-Seam Spray Coat

"Side-seam spray coat" means a can coating applied to the seam of a three-piece can.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6030 Smoke

"Smoke" means small gas-borne particles resulting from incomplete combustion, consisting predominately but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6050 Smokeless Flare

"Smokeless flare" means a combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke or other particulate matter emitted to the atmosphere from such combustion does not have an appearance density or shade darker than No. 1 of the Ringlemann Chart.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6070 Solvent

"Solvent" means a liquid substance that is used to dissolve or dilute another substance. This term includes, but is not limited to organic materials used as dissolvers, viscosity reducers, degreasing agents, or cleaning agents.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6090 Solvent Cleaning

"Solvent cleaning" means the process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing, or

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conveyorized degreasing.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6130 Source

"Source" means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person or persons under common control) belonging to a single major industrial grouping. For the purposes of defining "source," a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent property belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6150 Specialty High Gloss Catalyzed Coating

"Specialty high gloss catalyzed coating" means commercial contract finishing of material prepared for printers and lithographers where the finishing process uses a solvent-borne coating, formulated with a catalyst, in a quantity of no more than 12,000 gallons/year as supplied, where the coating machines are sheet fed and the coated sheets are brought to a minimum surface temperature of 190° F. and where the coated sheets are to achieve the minimum specular reflectance index of 65 measured at a 60 degree angle with a gloss meter.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6190 Specialty Soybean Crushing Source

"Specialty soybean crushing source" means any hexane extraction soybean crushing equipment using indirect steam heat in flash or vapor desolventizers as the primary method of desolventizing and producing specialty solvent extracted soy flakes, grits or flour.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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Section 211.6210 Splash Loading

"Splash loading" means a method of loading a tank, railroad tank car, tank truck, or trailer by use of other than a submerged loading pipe.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6230 Stack

"stack" means a flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6270 Standard Conditions

"standard conditions" means a temperature of 70°F and a pressure of 14.7 psia.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6290 Standard Cubic Foot (scf)

"standard cubic foot (scf)" means the volume of one cubic foot of gas at standard conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6310 Start-Up

"start-up" means the setting in operation of an emission unit for any purpose.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6330 Stationary Emission Source

"stationary emission source" means an emission source which is not self-propelled.

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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6350 Stationary Emission Unit

"stationary emission unit" means an emission unit which is not self-propelled.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6370 Stationary Source

"stationary source" means any building, structure, facility, or installation that emits or may emit any air pollutant.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6390 Stationary Storage Tank

"stationary storage tank" means any container of liquid or gas which is designed and constructed to remain at one site.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6410 Storage Tank or Storage Vessel

"storage tank or storage vessel" means any tank, reservoir or container used for the storage of liquid or gaseous material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6430 Styrene Devolatilizer Unit

"styrene devolatilizer unit" means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6450 Styrene Recovery Unit

"styrene recovery unit" means equipment performing the function



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of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as a raw material in the polystyrene plant.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6470 Submerged Loading Pipe

- a) "Submerged loading pipe" means, for purposes of 35 Ill. Adm. Code 215, any loading pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When applied to a tank which is loaded from the side, "submerged loading pipe" means any loading pipe the discharge of which is entirely submerged when the liquid level is 18 inches or two times the loading pipe diameter, whichever is greater, above the bottom of the tank. The definition shall also apply to any loading pipe which is continuously submerged during loading operations.

- b) "Submerged loading pipe" means, for purposes of 35 Ill. Adm. Code 218 and 219, any discharge pipe or nozzle which meets either of the following conditions:

- 1) Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is 15 cm (6 in.) above the bottom of the tank.
- 2) Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is 46 cm (18 in.) above the bottom of the tank.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6490 Substrate

"Substrate" means the surface onto which a coating is applied or into which a coating is impregnated.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## Section 211.6510 Sulfuric Acid Mist

"Sulfuric acid mist" means sulfuric acid mist as measured according to the method specified in 35 Ill. Adm. Code 214.101(b).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6530 Surface Condenser

"Surface condenser" means a device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6550 Synthetic Organic Chemical or Polymer Manufacturing Plant

"Synthetic organic chemical or polymer manufacturing plant" means a source that produces, as intermediates or final products, chemicals or polymers.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6570 Tablet Coating Operation

"Tablet coating operation" means a pharmaceutical coating operation in which tablets are coated.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6590 Thirty Day Rolling Average

"Thirty day rolling average" means any value arithmetically averaged over any consecutive thirty days.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.6610 Three-Piece Can

"Three-piece can" means a can which is made from a rectangular

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sheet and two circular ends.

(Source: Added at 17 Ill. Reg. 16504 effective September 27, 1993)

Section 211.6670 Topcoat

"Topcoat" means a coating applied to a substrate in a multiple coat operation other than prime coat, primer surfacer coat or final repair coat.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6690 Topcoat Operation

"Topcoat operation" means the application area(s), flash-off area(s), and oven(s) used to apply and dry or cure the topcoat (except final off-line repair) on automobile or light-duty truck bodies or body parts on a single assembly line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6730 Transfer Efficiency

"Transfer efficiency" means the ratio of the amount of coating solids deposited onto a part or product to the total amount of coating solids used, during a particular time period.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6750 Tread End Cementing

"Tread end cementing" means the application of a solvent-based cement to the tire tread ends.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6770 True Vapor Pressure

"True vapor pressure" means the equilibrium partial pressure exerted by a volatile organic liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks," second

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edition, February 1980 (incorporated by reference in 35 Ill. Adm. Code 218.112 and 219.112).

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6790 Turnaround

"Turnaround" means, with respect to a refinery process unit, the procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6810 Two-Piece Can

"Two-piece can" means a can that consists of a body manufactured i.e., drawn, from a single piece of metal and one top or end.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6850 Undertread Cementing

"Undertread cementing" means the application of a solvent-based cement to the underside of a tire tread.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6870 Unregulated Safety Relief Valve

"Unregulated safety relief valve" means a safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6890 Vacuum Producing System

"Vacuum producing system" means any reciprocating, rotary, or centrifugal blower or compressor or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.



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(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6910 Vacuum Service

"Vacuum service" means, for the purpose of Subpart Q of this 35 Ill. Adm. Code 215, 218 and 219, equipment or a component which is operating at an internal pressure that is at least 5 kPa (0.73 psia) below ambient pressure.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6930 Valves Not Externally Regulated

"Valves not externally regulated" means valves that have no provision for external adjustment or governance during their operation, such as in-line check valves.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6950 Vapor Balance System

"Vapor balance system" means any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6970 Vapor Collection System

"Vapor collection system" means all piping, seals, hoses, connections, pressure-vacuum vents, and other components between the gasoline delivery vessel and the vapor processing unit and/or the storage tanks and vapor holder.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.6990 Vapor Control System

"Vapor control system" means any system that limits or prevents release to the atmosphere of organic material in the vapors

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displaced from a tank during the transfer of gasoline or other volatile organic liquid.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.7010 Vapor-Mounted Primary Seal

"Vapor-mounted primary seal" means a primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.7030 Vapor Recovery System

"Vapor recovery system" means, with respect to a storage tank, storing a volatile organic liquid, a vapor gathering system capable of collecting all volatile organic material (VOM) vapors and gases discharged from the storage tank and a vapor disposal system capable of processing such VOM vapors and gases so as to prevent their emission to the atmosphere.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.7070 Vinyl Coating

"Vinyl coating" means any protective, decorative or functional coating or ink applied to vinyl or urethane or vinyl or urethane coated fabric which is delivered to a coating line or printing line as a roll, unwound and coated as a continuous substrate. However, a plastisol is not a vinyl coating.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.7090 Vinyl Coating Line

"Vinyl coating line" means a coating line in which any protective, decorative or functional coating or ink is applied onto vinyl or urethane or vinyl or urethane coated fabric which is delivered to a coating line or printing line as a roll, unwound and coated as a continuous substrate. However, application of a plastisol to vinyl or urethane or vinyl or urethane coated fabric is not a vinyl coating line or part of a



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vinyl coating line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.7110 Volatile Organic Liquid (VOL)

"Volatile organic liquid (VOL)" means any substance which is liquid at storage conditions and which contains volatile organic material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.7130 Volatile Organic Material Content (VOMC)

"Volatile organic material content (VOMC)" means, for the purpose of 35 Ill. Adm. Code 215, the emissions of volatile organic material which would result from the exposure of a coating, printing ink, fountain solution, tire spray, dry cleaning waste or other similar material to the air, including any drying or curing, in the absence of any control equipment. VOMC is typically expressed as kilogram (kg) VOM/liter (lb VOM/gallon) of coating or coating solids, or kg VOM/kg (lb VOM/lb) of coating solids, coating or material.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993.)

Section 211.7150 Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)

"Volatile organic material (VOM)" or "Volatile organic compound (VOC)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

- a) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: Methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro-2,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,2-dichloro

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1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro-1-fluoroethane (HCFC-141b); 1-chloro-1,1-difluoroethane (HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and perfluorocarbon compounds which fall into these classes:

- 1) Cyclic, branched, or linear, completely fluorinated alkanes;
- 2) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- 3) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- 4) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

- b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan or 40 CFR Part 60, Appendix A, incorporated by reference at 35 Ill. Adm. Code 215.105, 218.112, and 219.112, as applicable or by source-specific test methods which have been established pursuant to a permit issued pursuant to a program approved or promulgated under Title V of the Clean Air Act or under 40 CFR Part 51, Subpart I or Appendix S, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112 or under 40 CFR Part 52.21, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified, and such exclusions is approved by the Agency.

- c) As a precondition to excluding these

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negligibly-reactive compounds as VOM or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly-reactive compounds in the source's emissions.

- d) The USEPA shall not be bound by any state determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the test methods in subsection (b) above.

(Source: Added at 17 Ill. Reg. 16504 effective September 27, 1993)

## Section 211.7170 Volatile Petroleum Liquid

"Volatile petroleum liquid" means any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7190 Wash Coat

"Wash coat" means a coating containing binders which seals wood surfaces, prevents undesired staining, and controls penetration.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7210 Wastewater (Oil/Water) Separator

"Wastewater (oil/water) separator" means any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals from water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7230 Weak Nitric Acid Manufacturing Process

"Weak nitric acid manufacturing process" means any acid producing

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facility manufacturing nitric acid with a concentration of less than 70 percent by weight.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7250 Web

"Web" means a substrate which is coated or printed as a continuous substrate after being unrolled from the roll in which the substrate is delivered to a line.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7270 Wholesale Purchase - Consumer

"Wholesale purchase - consumer" means any person or organization that purchases or obtains gasoline from a supplier for ultimate consumption or use in motor vehicles and receives delivery of gasoline into a storage tank with a capacity of at least 2082 liters (550 gallons) owned and controlled by that person.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7290 Wood Furniture

"Wood furniture" means room furnishings including cabinets (kitchen, bath, and vanity), tables, chairs, beds, sofas, shutters, art objects, wood paneling, wood flooring, and any other coated furnishings made of wood, wood composition, or fabricated wood materials.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7310 Wood Furniture Coating

"Wood furniture coating" means any protective, decorative or functional coating applied to wood furniture or wood furniture parts.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

## Section 211.7330 Wood Furniture Coating Line

## POLLUTION CONTROL BOARD

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## NOTICE OF ADOPTED AMENDMENTS

"Wood furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied to wood furniture or wood furniture parts.

(Source: Amended at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.7350 Woodworking

"Woodworking" means the shaping, sawing, grinding, smoothing, polishing and making into products of any form or shape of wood.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

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## NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Major Stationary Sources Construction and Modification

2) Code Citation: 35 Ill. Adm. Code 203

3) Section Numbers: Adopted Action:  
203.145 Repealed

4) Statutory Authority: 415 ILCS 5/9, 10, 27 and 28.5.

5) Effective Date of Amendment: September 27, 1993

6) Does this repealer contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No.

8) Date filed in Board's principal office: September 9, 1993.

9) Notice of Proposal Published in Illinois Register:  
17 Ill. Reg. 4898, April 9, 1993

10) Has JCAR issued a Statement of Objections to these rules?  
No.

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

No agreement letter was issued by JCAR, all nonsubstantive changes indicated by JCAR were made.

13) Will this amendment replace an emergency rule currently in effect? No.

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Amendment: This action repeals section 203.145 as this definition is now contained in Part 211. A more detailed description is contained in the Board's opinion of September 9, 1993 in R93-9, which opinion is available from the address below.



## POLLUTION CONTROL BOARD

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted amendment shall be directed to:

Diane F. O'Neill  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6062

## PART 203

## MAJOR STATIONARY SOURCES CONSTRUCTION AND MODIFICATION

## SUBPART A: GENERAL PROVISIONS

Section	
203.101	Definitions
203.103	Actual Construction
203.104	Actual Emissions
203.107	Allowable Emissions
203.110	Available Growth Margin
203.112	Building, Structure and Facility
203.113	Commence
203.116	Construction
203.117	Dispersion Enhancement Techniques
203.119	Emission Baseline
203.121	Emission Offset
203.122	Emissions Unit
203.123	Federally Enforceable
203.124	Fugitive Emissions
203.125	Installation
203.126	Lowest Achievable Emission Rate
203.127	Nonattainment Area
203.128	Potential to Emit
203.131	Reasonable Further Progress
203.134	Secondary Emissions
203.136	Stationary Source
203.145	Volatile Organic Material <u>(Repealed)</u>
203.150	Public Participation
203.155	Severability <u>(Repealed)</u>

## SUBPART B: MAJOR STATIONARY SOURCES IN NONATTAINMENT AREAS

Section	
203.201	Prohibition
203.202	Coordination with Permit Requirement and Application Pursuant to 35 Ill. Adm. Code 201
203.203	Construction Permit Requirement and Application
203.204	Duration of Construction Permit <u>(Repealed)</u>
203.205	Effect of Permits
203.206	Major Stationary Source
203.207	Major Modification of a Source

The full text of the adopted amendment begins on the next page:

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## NOTICE OF ADOPTED AMENDMENTS

- 203.208 Net Emission Determination  
 203.209 Significant Emissions Determination  
 203.210 Relaxation of a Source-Specific Limitation  
 203.211 Permit Exemption Based on Fugitive Emissions

SUBPART C: REQUIREMENTS FOR MAJOR STATIONARY SOURCES IN  
 NONATTAINMENT AREAS

- 203.301 Lowest Achievable Emission Rate  
 203.302 Maintenance of Reasonable Further Progress and Emission Offsets  
 203.303 Baseline and Emission Offsets Determination  
 203.304 Exceptions from Emissions Offset Requirement (Repealed)  
 203.305 Compliance by Existing Sources  
 203.306 Analysis of Alternatives

SUBPART F: OPERATION OF A MAJOR STATIONARY SOURCE OR MAJOR  
 MODIFICATION

- Section  
 203.601 Lowest Achievable Emission Rate Compliance Requirement  
 203.602 Emission Offset Maintenance Requirement  
 203.603 Ambient Monitoring Requirement (Repealed)

## SUBPART G: GENERAL MAINTENANCE OF EMISSION OFFSETS

- Section  
 203.701 General Maintenance of Emission Offsets

SUBPART H: OFFSETS FOR EMISSION INCREASES FROM ROCKET ENGINES  
 AND MOTOR FIRING

- Section  
 203.801 Offsets for Emission Increases from Rocket Engines and Motor Firing

AUTHORITY: Implementing Section 9.1 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, pars. 1009.1, 1010 and 1027) (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/9.1, 10, 27, and 28.5].

SOURCE: Adopted and codified at 7 Ill. Reg. 9344, effective July 22, 1983; codified at 7 Ill. Reg. 13588; amended in R85-20 at 12 Ill. Reg. 6118, effective March 22, 1988; amended in R91-24 at 16

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Ill. Reg. 13551, effective August 24, 1992; amended in R92-21 at 17 Ill. Reg. 6973, effective April 30, 1993; amended in R93-9 at 17 Ill. Reg. 16630, effective September 27, 1993.

## Section 203.145 Volatile Organic Material [Repealed]

"Volatile organic material" (VOM) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

a) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: Methane; ethane; methylene chloride (dichloromethane), 1,1,1 trichloroethane (methyl chloroform), 1,1,1 trichloro-2,2,2 trifluoroethane (CFC 113), trichlorofluoromethane (CFC 11), dichlorodifluoromethane (CFC 12), chlorodifluoromethane (CFC 22), trifluoromethane (FC 23), 1,1,2 dichloro 1,1,2,2 tetrafluoroethane (CFC 114), chloropentafluoroethane (CFC 115), 1,1,1 trifluoro-2,2 dichloroethane (HCFC 123), 1,1,1,2 tetrafluoroethane (HFC 134a), 1,1 dichloro 1,1,1,2 tetrafluoroethane (HCFC 142b), 2-chloro 1,1,1,2,2,2 hexafluoroethane (HFC 124), pentafluoroethane (HFC 125), 1,1,2,2 tetrafluoroethane (HFC 134), 1,1,1 trifluoroethane (HFC 143a), 1,1 difluoroethane (HFC 152a), and perfluorocarbon compounds which fall into these classes:

- 1) Cyclic, branched, or linear, completely fluorinated alkanes;
- 2) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- 3) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- 4) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluoroine.

b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan

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or 40 CFR Part 60, Appendix A, incorporated by reference at Sections 215.105, 218.112, and 219.112, as applicable or by source specific test methods which have been established pursuant to a permit issued pursuant to a program approved or promulgated under Title V of the Clean Air Act or under 40 CFR Part 51, Subpart I or Appendix 5, incorporated by reference at Sections 218.112 and 219.112 or under 40 CFR Part 52.21, incorporated by reference at Sections 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified, and such exclusions is approved by the Agency.

e) ~~As a precondition to excluding these negligibly reactive compounds as VOM or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly reactive compounds in the source's emissions.~~

d) ~~The USEPA shall not be bound by any State determination as to appropriate methods for testing or monitoring negligibly reactive compounds if such determination is not reflected in any of the provisions of paragraph (e).~~

(Source: Repealed at 17 Ill. Reg. 16630, effective September 27, 1993)

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- 1) Heading of Part: Organic Material Emission Standards and Limitations for the Chicago Area
- 2) Code Citation: 35 Ill. Adm. Code 218
- 3) Section Numbers:

218.100	Amended	Adopted Action:
218.101	Repealed, New	
218.102	Amended	
218.103	218.103, 218.104	
218.105	218.106, 218.107	
218.109	218.110, 218.111	
218.112	218.121, 218.122	
218.123	218.124	
218.125	218.126	Repealed
218.141	218.143, 218.144	Amended
218.181	218.182, 218.183	Amended
218.184		Amended
218.185		Repealed
218.186	218.204, 218.205	Amended
218.206	218.207, 218.208	Amended
218.209	218.210, 218.211	Amended
218.301	218.302, 218.303	Amended
218.304	218.401, 218.402	Amended
218.403	218.404, 218.405	Amended
218.421	218.422, 218.423	Amended
218.424	218.425, 218.426	Amended
218.427	218.428, 218.429	Amended
218.430		Repealed
218.441	218.443, 218.445	Amended
218.446	218.447, 218.449	Amended
218.450	218.452	Amended
218.453		Repealed
218.461	218.462, 218.463	Amended
218.464		Amended
218.465	218.466	Repealed
218.480	218.481, 218.482	Amended
218.483	218.485, 218.486	Amended
218.487	218.489	Amended
218.521		Repealed
218.525		Amended
218.527		Repealed
218.541	218.562, 218.581	Amended
218.582	218.583, 218.584	Amended
218.585	218.586, 218.601	Amended
218.602	218.603	Amended
218.604	218.605, 218.606	Repealed
218.608	218.609, 218.610	Amended



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218.611 Amended  
 218.612, 218.613 Repealed  
 218.620, 218.621, 218.623 Amended  
 218.624, 218.628, 218.636 Amended  
 218.637 Amended  
 218.640 Renumbered, Amended  
 218.642 Renumbered  
 218.644 Renumbered, Amended  
 218.875, 218.877 Renumbered  
 218.879, 218.881, 218.883 Repealed  
 218.886 Renumbered  
 218.920, 218.923, 218.926 Amended  
 218.927, 218.928, 218.940 Amended  
 218.943, 218.946, 218.947 Amended  
 218.948, 218.960, 218.963 Amended  
 218.966, 218.967, 218.968 Amended  
 218.980, 218.983, 218.986 Amended  
 218.987, 218.988, 218.990 Amended  
 218.991 Amended  
 Appendix A Amended  
 Appendix B Amended  
 Appendix C Amended  
 Appendix D Amended

- 4) Statutory Authority: 415 ILCS 5/9, 10, 27 and 28.5.
- 5) Effective Date of Amendments: September 27, 1993
- 6) Does this amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date filed in Board's principal office: September 9, 1993
- 9) Notice of Proposal Published in Illinois Register:  
 17 Ill. Reg. 4905, April 9, 1993  
 A correction to the proposed rules, adding some pages of the proposal that were omitted from the initial publication, was published in the Illinois Register on April 23, 1993, at 17 Ill. Reg. 6520.
- 10) Has JCAR issued a Statement of Objections to these rules?  
 No.
- 11) Differences between proposal and final version:  
 Section 218.101 - deleted "compliance with" and capitalized

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"all".  
 Section 218.103(a) - added "Environmental".  
 Section 218.105 - "and USEPA" was deleted in Sections 218.105(d)(3)(A) and 218.105(d)(3)(D).  
 Section 218.123 - deleted subsection (c).  
 Section 218.204(c) - deleted "and other approvable requirements".  
 Section 218.405(a)(1)(a) - added "including solvents for cleanup operations associated with the heatset-web-offset lithographic printing line(s)".  
 Section 218.429 - added citations for BIF and RCRA.  
 Sections 218.926(c), 218.946(c), 218.966(b) and 218.986(c) - deleted "approved by" and added "in a federally enforceable permit".  
 Section 218.920 - added subsection (f).  
 Section 218.940 - added subsection (f).  
 Section 218.960 - added subsection (f).  
 Section 218.980(e) - changed "sources" to "units", added "and not including" and deleted reference to Subparts QQ, RR and PP.  
 Section 218.966 - added "next" before process unit and a compliance date of March 15, 1995.  
 Section 218.986 - added "next" before process unit and a compliance date of March 15, 1995.

In addition non-substantive changes were made to correct typing errors and omissions and to conform with the text on file.

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?  
 JCAR did not issue an agreement letter but all non-substantive changes indicated by JCAR have been made.
- 13) Will this amendments replace an emergency rule currently in effect? No.
- 14) Are there any other amendments pending on this Part? yes

Section Numbers	Proposed Action	Illinois Register Citation
218.106	Amended	17 Ill. Reg. 12508
218.108	Amended	17 Ill. Reg. 12508
218.112	Amended	17 Ill. Reg. 12508
218.113	New	17 Ill. Reg. 12508
218.402	Amended	17 Ill. Reg. 12508
218.602	Amended	17 Ill. Reg. 12508

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218.611	Amended	17 Ill. Reg.	12508
218.620	Amended	17 Ill. Reg.	12508
218.623	Repealed	17 Ill. Reg.	12508
218.660	New	17 Ill. Reg.	12508
218.666	New	17 Ill. Reg.	12508
218.667	New	17 Ill. Reg.	12508
218.668	New	17 Ill. Reg.	12508
218.670	New	17 Ill. Reg.	12508
218.672	New	17 Ill. Reg.	12508
218.680	New	17 Ill. Reg.	12508
218.686	New	17 Ill. Reg.	12508
218.688	New	17 Ill. Reg.	12508
218.690	New	17 Ill. Reg.	12508
218.692	New	17 Ill. Reg.	12508
218.920	Amended	17 Ill. Reg.	12508
218.923	Repealed	17 Ill. Reg.	12508
218.926	Amended	17 Ill. Reg.	12508
218.940	Amended	17 Ill. Reg.	12508
218.943	Repealed	17 Ill. Reg.	12508
218.946	Amended	17 Ill. Reg.	12508
218.960	Amended	17 Ill. Reg.	12508
218.963	Repealed	17 Ill. Reg.	12508
218.966	Amended	17 Ill. Reg.	12508
218.980	Amended	17 Ill. Reg.	12508
218.983	Repealed	17 Ill. Reg.	12508
218.986	Amended	17 Ill. Reg.	12508
218.991	Amended	17 Ill. Reg.	12508

- 15) Summary and Purpose of Amendments: This action repeals section 203.145 as this definition is now contained in Part 218. A more detailed description is contained in the Board's opinion of September 9, 1993 in R93-9, which opinion is available from the address below.

- 16) Information and questions regarding this adopted amendments shall be directed to:

Diane F. O'Neill  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6062

The full text of the adopted amendments begins on the next page:

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## NOTICE OF ADOPTED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 218

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR THE  
CHICAGO AREA

## SUBPART A: GENERAL PROVISIONS

Section	Introduction
218.100	Clean-up and Disposal-Operations Savings Clause
218.101	Abbreviations and Conversion Factors
218.102	Applicability
218.103	Definitions
218.104	Test Methods and Procedures
218.105	Compliance Dates
218.106	Operation of Afterburners
218.107	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.108	Vapor Pressure of Volatile Organic Liquids
218.109	Vapor Pressure of Organic Material or Solvent
218.110	Vapor Pressure of Volatile Organic Material
218.111	Incorporations by Reference
218.112	

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	Storage Containers
218.121	Loading Operations
218.122	Petroleum Liquid Storage Tanks
218.123	External Floating Roofs
218.124	Compliance Dates (Repealed)
218.125	Compliance Plan (Repealed)
218.126	

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	Separation Operations
218.141	Pumps and Compressors
218.142	Vapor Blowdown
218.143	Safety Relief Valves
218.144	

## SUBPART E: SOLVENT CLEANING

## ILLINOIS REGISTER

16641

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Section  
218.181  
218.182  
218.183  
218.184  
218.185  
218.186

Solvent Cleaning in General  
Cold Cleaning  
Open Top Vapor Degreasing  
Conveyorized Degreasing  
Compliance Schedule (Repealed)  
Test Methods

## SUBPART F: COATING OPERATIONS

Section  
218.204  
218.205  
218.206  
218.207  
218.208  
218.209  
218.210  
218.211

Emission Limitations ~~for Manufacturing Plants~~  
Daily-Weighted Average Limitations  
Solids Basis Calculation  
Alternative Emission Limitations  
Exemptions from Emission Limitations  
Exemption from General Rule on Use of Organic Material  
Compliance Schedule  
Recordkeeping and Reporting

## SUBPART G: USE OF ORGANIC MATERIAL

Section  
218.301  
218.302  
218.303  
218.304

Use of Organic Material  
Alternative Standard  
Fuel Combustion Emission ~~Source~~ Units  
Operations with Compliance Program

## SUBPART H: PRINTING AND PUBLISHING

Section  
218.401  
218.402  
218.403  
218.404  
218.405

Flexographic and Rotogravure Printing  
Applicability  
Compliance Schedule  
Recordkeeping and Reporting  
Heatset-Web-Offset Lithographic Printing

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT PLANT

Section  
218.421  
218.422  
218.423  
218.424  
218.425  
218.426

General Requirements  
Inspection Program Plan for Leaks  
Inspection Program for Leaks  
Repairing Leaks  
Recordkeeping for Leaks  
Report for Leaks

218.427 Alternative Program for Leaks  
218.428 Open-Ended Valves  
218.429 Standards for Control Devices  
218.430 Compliance Date (Repealed)

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES;  
ASPHALT MATERIALS

Section  
218.441  
218.442  
218.443  
218.444  
218.445  
218.446  
218.447  
218.448  
218.449  
218.450  
218.451  
218.452  
218.453

Petroleum Refinery Waste Gas Disposal  
Vacuum Producing Systems  
Wastewater (Oil/Water) Separator  
Process Unit Turnarounds  
Leaks: General Requirements  
Monitoring Program Plan for Leaks  
Monitoring Program for Leaks  
Recordkeeping for Leaks  
Reporting for Leaks  
Alternative Program for Leaks  
Sealing Device Requirements  
Compliance Schedule for Leaks  
Compliance Dates (Repealed)

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section  
218.461  
218.462  
218.463  
218.464  
218.465  
218.466

Manufacture of Pneumatic Rubber Tires  
Green Tire Spraying Operations  
Alternative Emission Reduction Systems  
~~Testing and Monitoring~~ Emission Testing  
Compliance Dates (Repealed)  
Compliance Plan (Repealed)

## SUBPART T: PHARMACEUTICAL MANUFACTURING

Section  
218.480  
218.481  
218.482  
218.483  
218.484

Applicability  
Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers  
Control of Air Dryers, Production Equipment Exhaust Systems and Filters  
Material Storage and Transfer  
In-Process Tanks



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218.485 Leaks  
 218.486 Other Emission Sources Units  
 218.487 Testing  
 218.488 Monitoring for Air Pollution Control Equipment  
 218.489 Recordkeeping for Air Pollution Control Equipment

## SUBPART V: AIR OXIDATION PROCESSES

Section  
 218.521 Definitions (Repealed)  
 218.525 Emission Limitations for Air Oxidation Processes  
 218.526 Testing and Monitoring  
 218.527 Compliance Date (Repealed)

## SUBPART W: AGRICULTURE

Section  
 218.541 Pesticide Exception

## SUBPART X: CONSTRUCTION

Section  
 218.561 Architectural Coatings  
 218.562 Paving Operations  
 218.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
 218.581 Bulk Gasoline Plants  
 218.582 Bulk Gasoline Terminals  
 218.583 Gasoline Dispensing Facilities - Storage Tank Filling Operations  
 218.584 Gasoline Delivery Vessels  
 218.585 Gasoline Volatility Standards  
 218.586 Gasoline Dispensing Facilities Operations - Motor Vehicle Fueling Operations

## SUBPART Z: DRY CLEANERS

Section  
 218.601 Perchloroethylene Dry Cleaners  
 218.602 Exemptions  
 218.603 Leaks  
 218.604 Compliance Dates (Repealed)  
 218.605 Compliance Plan (Repealed)  
 218.606 Exception to Compliance Plan (Repealed)

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218.607 Standards for Petroleum Solvent Dry Cleaners  
 218.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 218.609 Program for Inspection and Repair of Leaks  
 218.610 Testing and Monitoring  
 218.611 Exemption for Petroleum Solvent Dry Cleaners  
 218.612 Compliance Dates (Repealed)  
 218.613 Compliance Plan (Repealed)

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 218.620 Applicability  
 218.621 Exemption for Waterbase Material and Heatset-Offset Ink  
 218.623 Permit Conditions  
 218.624 Open-Top Mills, Tanks, Vats or Vessels  
 218.625 Grinding Mills  
 218.626 Storage Tanks  
 218.628 Leaks  
 218.630 Clean Up  
 218.636 Compliance Schedule  
 218.637 Recordkeeping and Reporting

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 218.640 Applicability of ~~Subpart BB~~  
 218.642 Emissions Limitation at Polystyrene Plants  
 218.644 Emissions Testing  
 218.675 Applicability of Subpart BB (Renumbered)  
 218.877 Emissions Limitation at Polystyrene Plants (Renumbered)  
 218.879 Compliance Date (Repealed)  
 218.881 Compliance Plan (Repealed)  
 218.883 Special Requirements for Compliance Plan (Repealed)  
 218.886 Emissions Testing (Renumbered)

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section  
 218.920 Applicability  
 218.923 Permit Conditions  
 218.926 Control Requirements  
 218.927 Compliance Schedule  
 218.928 Testing

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

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## Section

218.940 Applicability  
 218.943 Permit Conditions  
 218.946 Control Requirements  
 218.947 Compliance Schedule  
 218.948 Testing

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-23 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993.

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

## SUBPART A: GENERAL PROVISIONS

## Section

218.960 Applicability  
 218.963 Permit Conditions  
 218.966 Control Requirements  
 218.967 Compliance Schedule  
 218.968 Testing

## Section 218.100 Introduction

a) This Part contains standards and limitations for emissions of organic material and volatile organic material from stationary sources located in the Chicago area, which is comprised of Cook, DuPage, Kane, Lake, McHenry and Will Counties and Aux Sable Township and Goose Lake Township in Grundy County and Oswego Township in Kendall County.

## SUBPART TT: OTHER EMISSION SOURCES UNITS

## Section

218.980 Applicability  
 218.983 Permit Conditions  
 218.986 Control Requirements  
 218.987 Compliance Schedule  
 218.988 Testing

b) Sources subject to this Part may be subject to the following:

- 1) Permits required under 35 Ill. Adm. Code 2017 and
- 2) Air quality standards under 35 Ill. Adm. Code 2437.

## SUBPART UU: RECORDKEEPING AND REPORTING FOR NON-CTG-SOURCES

## Section

218.990 Exempt Emission Sources Units  
 218.991 Subject Emission Sources Units

c) This Part is divided into Subparts which are grouped as follows:

- 1) Subpart A: General Provisions;
- 2) Subparts B-F: Emissions from equipment and operations in common to more than one industry;
- 3) Subpart G: Emissions from use of organic material;
- 4) Subparts H-end RR: Special Rules for various industry groups.
- 5) Subpart TT: Rules for emission units not otherwise addressed.
- 6) Subpart UU: Recordkeeping and reporting for equipment and operations addressed by Subparts PP.

Section 218.Appendix A: List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing

Section 218.Appendix B: VOM Measurement Techniques for Capture Efficiency

Section 218.Appendix C: Reference Test Methods and For Air Oxidation Processes Procedures

Section 218.Appendix D: Coefficients for the Total Resource Effectiveness Index (TRE) Equation

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, par. 1010), (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/10 and 28.5].

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CO, RR, and TT.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.101 Cleanup and Disposal Operation Savings Clause

~~Emission of organic material released during clean-up operations and disposal shall be included with other emissions of organic material from the related emission source or air pollution control equipment in determining total emissions.~~

- a) Every owner or operator of an emission unit formerly subject to 35 Ill. Adm. Code Part 215 shall have complied with its standards and limitations by the dates and schedules applicable to the emission unit in accordance with 35 Ill. Adm. Code 215 or upon initial start-up. All compliance dates or schedules found in 35 Ill. Adm. Code 215 are not superseded by this Part and remain in full force and effect.

- b) Nothing in this Part shall affect the responsibility of any owner or operator that is now or has been subject to the RIP to comply with its requirements thereunder by the dates specified in the RIP.

(Source: Section repealed, new Section adopted at 17 Ill. Reg. 16636, effective September 27, 1993)

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Section 218.102 Abbreviations and Conversion Factors

- a) The following abbreviations are used in this Part:

ASTM	American Society for Testing and Materials
bb1	barrels (42 gallons)
°C	degrees Celsius or centigrade
cm	centimeters
cu in	cubic inches
°F	degrees Fahrenheit
FIP	Federal Implementation Plan
ft	feet
ft <sup>2</sup>	square feet
g	grams
gpm	gallons per minute
g/mole	grams per mole
gal	gallons
hr	hours
in	inches
°K	degrees Kelvin
kcal	kilocalories
kg	kilograms
kg/hr	kilograms per hour
kPa	kilopascals; one thousand newtons per square meter
l	liters
l/sec	liters per second
lbs	pounds
lbs/hr	pounds per hour
lbs/gal	pounds per gallon
LEL	lower explosive limit
m	meters
m <sup>2</sup>	square meters
m <sup>3</sup>	cubic meters
mg	milligrams
Mg	Megagrams, metric tons or tonnes
mi	miles
min	minutes
MJ	megajoules
mm Hg	millimeters of mercury
NDO	natural draft opening
ppm	parts per million
ppmv	parts per million by volume
psi	pounds per square inch
psia	pounds per square inch absolute
psig	pounds per square inch gauge



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~~sef~~ standard cubic feet  
~~sem~~ standard cubic meters  
~~sec~~ seconds  
~~sip~~ State Implementation Plan  
~~tpe~~ temporary total enclosure  
~~sq cm~~ square centimeters  
~~sq in~~ square inches  
~~t~~ ton  
~~ten~~ English ton  
~~USEPA~~ United States Environmental Protection Agency  
~~voc~~ volatile organic compounds  
~~vot~~ volatile organic liquids  
~~vom~~ volatile organic materials

b) The following conversion factors are used in this Part.

~~English~~ Metric

1 gal 3.785 l  
 1,000 gal 3,785 l or 3.785 m<sup>3</sup>  
 1 psia 6.897 kPa (51.71 mm Hg)  
 2.205 lbs 1 kg  
 1 bbl 159.0 l  
 1 cu in 16.39 ml  
 1 lb/gal 119.800 mg/l  
 1 ton 0.907 Mg  
 1 T 0.907 Mg

The abbreviations and conversion factors of 35 Ill. Adm. Code 211 apply to this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## Section 218.103 Applicability

The provisions of this Part shall apply to all sources located in the Chicago area which is composed of Cook, DuPage, Kane, Lake, McHenry ~~or~~ and Will Counties, ~~or~~ and Aux Sable Township ~~or~~ and Goose Lake Township in Grundy County ~~or~~ and Oswego Township in Kendall County.

a) The provisions of this Part shall become effective on July 1, 1991 with the following exceptions:

1) The provisions of this Part shall become effective on September 1, 1991 for each appellant, including the constituents represented by appellants who are associations, who has appealed the federal implementation plan (FIP) for the Chicago area (Illinois Environmental Regulatory Group v. USEPA, No. 90-2778 (and consolidated cases) (7th Cir.)).

2) The effectiveness of any provision of this Part applicable to any individual source or category of sources which has appealed the FIP shall be stayed to the extent that such individual source or category of sources received a stay of the effectiveness of the FIP from USEPA or from a court. When the court has taken final action or when USEPA has published in the Federal Register final action to revise or affirm the provisions of the FIP specifically applicable to such individual source or category of sources or such stay is terminated, the Board shall take corresponding action, if necessary, by the adoption of a peremptory rule pursuant to 35 Ill. Adm. Code 102.347 and Section 5.03 of the Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, eh. 1005.03). The effectiveness of any provision of this Part applicable to any individual source or category of sources which has appealed the FIP shall be stayed to the extent that such individual source or category of sources received a stay of the effectiveness of the FIP, pending reconsideration, from the USEPA or from the court in the FIP appeal cited in subsection 218.103(a)(1) above. When USEPA has published in the Federal Register final action to revise or affirm the provisions of the

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FIP specifically applicable to such individual source or category of sources or such stay is otherwise terminated, the Board shall take corresponding action and the Agency shall submit such action to USEPA for approval. Until such time as USEPA approves the corresponding amendment to this Part, the FIP rule shall remain the applicable implementation plan for that source or category of sources under the Clean Air Act.

- 3) The provisions of this Part shall become effective on November 15, 1992 for all sources located in Aux Sable Township or Goose Lake Township in Grundy County or in Oswego Township in Kendall County.
- b) The provisions of the Part shall not apply to Viskase Corporation; Allsteel, Incorporated; Stepan Company; or Ford Motor Company to the extent such source has obtained an adjusted standard from the Board or an exclusion from the General Assembly for any Subpart of this Part or of 35 Ill. Adm. Code 215.

(Board Note: Subsection 218.103(b) of this Section shall be effective at the federal level only upon approval by USEPA.)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## Section 218.104 Definitions

The following terms are defined for the purpose of this Part.

"Aseelaceta" means a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying, and the coating is dried by the flow of air across the drum through the perforations.

"Accumulator" means the reservoir of a condensing unit receiving the condensate from a surface condenser.

"Acid Gases" means for the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1987, ch. 111-1/2, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

"Actual emissions" means the actual quantity of VOC emissions from an emission source during a particular time period.

"Actual Heat Input" means the quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

"Adhesive" means any substance or mixture of substances intended to serve as a joining compound.

"Afterburner" means a control device in which materials in gaseous effluent are combusted.

"Air contaminant" means any solid, liquid or gaseous matter, any odor, or any form of energy, that is capable of being released into the atmosphere from an emission source.

"Air dried coatings" means any coatings that dry by use of air or forced air at temperatures up to 363.15K (194°F).

"Air pollution" means the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be

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**"injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property."**

**"Air pollution control equipment" means any equipment or facility of a type intended to eliminate, prevent, reduce or control the emission of specified air contaminants to the atmosphere.**

**"Air suspension coater/dryer" means a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.**

**"Airless spray" means a spray coating method in which the coating is atomized by forcing it through a small opening at high pressure. The coating liquid is not mixed with air before exiting from the nozzle.**

**"Air-assisted airless spray" means a spray coating method which combines compressed air with hydraulic pressure to atomize the coating material into finer droplets than is achieved with pure airless spray. Lower hydraulic pressure is used than with airless spray.**

**"Allowable emissions" means the quantity of VOC emissions during a particular time period from a stationary source calculated using the maximum rated capacity of the source (unless restricted by federally enforceable limitations on operating rate, hours of operation, or both) and the most stringent of: the applicable standards in 40 CFR Parts 60 and 61; the applicable implementation plan; or a federally enforceable permit.**

**"Ambient air quality standards" means those standards designed to protect the public health and welfare codified in 40 CFR Part 50 and promulgated from time to time by the USEPA pursuant to authority contained in Section 108 of the Clean Air Act, 42 U.S.C. 7401 et seq., as amended from time to time.**

**"Applicator" means a device used in a coating line to apply coating.**

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**"As applied" means the exact formulation of a coating during application on or impregnation into a substrate.**

**"Architectural Coating" means any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings, which is site applied.**

**"Asphalt" means the dark brown to black cementitious material (solid, semisolid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.**

**"Asphalt Prime Coat" means a low-viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.**

**"Automobile" means a motor vehicle capable of carrying no more than 12 passengers.**

**"Automobile or light-duty truck assembly plant" means a facility where parts are assembled or finished for eventual inclusion into a finished automobile or light-duty truck ready for sale to vehicle dealers, but not including customizers, body shops, and other repairers.**

**"Automobile or light-duty truck refinishing" means the repainting of used automobiles and light-duty trucks.**

**"Baked coatings" means any coating which is cured or dried in an oven where the oven air temperature exceeds 90°C (194°F).**

**"Batch Loading" means the process of loading a number of individual parts at the same time for degreasing.**

**"Bead-Dipping" means the dipping of an assembled tire bead into a solvent-based cement.**

**"Binders" means organic materials and resins which do not contain VOC.**

**"Bituminous coatings" means black or brownish coating materials which are soluble in carbon disulfide, which consist mainly of hydrocarbons, and which are obtained from natural deposits or as residues from the**



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distillation of crude oils or of low grades of coal.

"British Thermal Unit" means the quantity of heat required to raise one pound of water from 60°F to 61°F (abbreviated Btu).

"Brush or wipe coating" means a manual method of applying a coating using a brush, cloth, or similar object.

"Bulk gasoline plant" means a gasoline storage and distribution facility with an average throughput of 76,000-1 (20,000 gal) or less on a 30-day rolling average that distributes gasoline to gasoline dispensing facilities.

"Bulk Gasoline Terminal" means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.

"Can" means any metal container, with or without a top cover, spout or handles, into which solid or liquid materials are packaged.

"Can coating" means any coating applied on a single walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in.).

"Can coating" means a facility that includes one or more can coating line(s).

"Can coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of cans or can components.

"Capture" means the containment or recovery of emissions from a process for direction into a duct which may be exhausted through a stack or vent to a control device. The overall abatement of emissions from a process with an add-on control device is a function both of the capture efficiency and of the control device.

"Capture device" means a hood, enclosed room floor sweep or other means of collecting solvent or other

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pollutants into a duct. The pollutant can then be directed to a pollution control device such as an afterburner or carbon adsorber. Sometimes the term is used loosely to include the control device.

"Capture efficiency" means the fraction of all VOM generated by a process that are directed to an abatement or recovery device.

"Capture system" means all equipment (including, but not limited to, hoods, ducts, fans, ovens, dryers, etc.) used to contain, collect and transport an air pollutant to a control device.

"Clean Air Act" means the Clean Air Act of 1963, as amended, including the Clean Air Act Amendments of 1977, (42 U.S.C. 7401 et seq.), and the Clean Air Act Amendments of 1990, (P.L. 101-549).

"Clear coating" means coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Clear topcoat" means the final coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film.

"Closed Purge System" means a system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed vent system" means a system that is not open to the atmosphere and is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission source to a control device.

"Coating" means a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, adhesives, thinners, diluents, and inks.

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"Coating applicator" means equipment used to apply a coating.

"Coating line" means an operation consisting of a series of one or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein a surface coating is applied, dried, or cured. (It is not necessary for an operation to have an oven, or flash-off area, or drying area to be included in this definition.)

"Coating plant" means any plant that contains one or more coating line(s).

"Coil" means any flat metal sheet or strip that is rolled or wound in concentric rings.

"Coil coating" means any coating applied on any flat metal sheet or strip that comes in rolls or coils.

"Coil coating facility" means a facility that includes one or more coil coating line(s).

"Coil coating line" means a coating line in which any protective, decorative or functional coating is applied onto the surface of flat metal sheets, strips, rolls, or coils for industrial or commercial use.

"Cold cleaning" means the process of cleaning and removing soils from surfaces by spraying, brushing, flushing, or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion" means a process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component" means, with respect to synthetic organic chemical and polymer manufacturing equipment, and petroleum refining and related industries, any piece of equipment which has the potential to leak VOC including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains, and open ended pipes. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy

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liquid service. For purposes of Subpart Q of this part, this definition also excludes bleed ports of gear pumps in polymer service.

"Concrete curing compounds" means any coating applied to freshly poured concrete to retard the evaporation of water.

"Condensate" means volatile organic liquid separated from its associated gases, which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

"Continuous process" means, with respect to polystyrene resin, a method of manufacture in which the styrene raw material is delivered on a continuous basis to the reactor in which the styrene is polymerized to polystyrene.

"Control device" means equipment (such as an afterburner or adsorber) used to remove or prevent the emission of air pollutants from a contaminated exhaust stream.

"Control device efficiency" means the ratio of the pollution prevented by a control device and the pollution introduced to the control device, expressed as a percentage.

"Conveyized degreasing" means the continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude oil" means a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen, or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude oil gathering" means the transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Custody transfer" means the transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.



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"~~Outback Asphalt~~" means any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

"~~Daily-weighted average VOM content~~" means the average VOM content of two or more coatings as applied on a coating line during any day, taking into account the fraction of total coating volume that each coating represents, as calculated with the following equation:

$$VOM_w = \frac{\sum_{i=1}^n V_i C_i}{V_r}$$

where:

$VOM_w$  = The average VOM content of two or more coatings as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM);

$n$  = The number of different coatings as applied each day on a coating line;

$V_i$  = The volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on a coating line in units of l (gal);

$C_i$  = The VOM content of each coating as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM); and

$V_r$  = The total volume of all coatings (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on a coating line in units of l (gal).

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"~~Day~~" means the consecutive 24 hours beginning at 12:00 AM (midnight) local time.

"~~Degreaser~~" means any equipment or system used in solvent cleaning.

"~~Delivery vessel~~" means any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant, or bulk gasoline terminal.

"~~Dip coating~~" means a method of applying coatings in which the part is submerged in a tank filled with the coating.

"~~Distillate Fuel Oil~~" means fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil ASTM D-369-69 (1971).

"~~Dry Cleaning Facility~~" means a facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"~~Effluent Water Separator~~" means any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"~~Electrostatic bell or disc spray~~" means an electrostatic spray coating method in which a rapidly spinning bell or disc shaped applicator is used to create a fine mist and apply the coating with high transfer efficiency.

"~~Electrostatic spray~~" means a spray coating method in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the object due to the electrostatic potential between them.



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"Emission Rate" means total quantity of any air contaminant discharge into the atmosphere in any one-hour period.

"Emission source" and "source" mean any facility from which VOM is emitted or capable of being emitted into the atmosphere.

"Enamel" means a coating that cures by chemical cross-linking of its base resin. Enamels can be distinguished from lacquers because enamels are not readily resolvable in their original solvent.

"Enclose" means to cover any VOL surface that is exposed to the atmosphere.

"End sealing compound coat" means a compound applied to an end which functions as a gasket when the end is assembled onto the can.

"Excess Air" means air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

"Excessive release" means a discharge of more than 295 g (0.65 lbs) of mercaptans and/or hydrogen sulfide into the atmosphere in any 5-minute period.

"Exterior base coat" means a coating applied to the exterior of a can body, or flat sheet to provide protection to the metal or to provide background for any lithographic or printing operation.

"Exterior end coat" means a coating applied to the exterior end of a can to provide protection to the metal.

"External floating roof" means a cover over an open top storage tank consisting of a double deck or pontoon single deck which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

"Extreme environmental conditions" means exposure to any or all of the following: ambient weather conditions; temperatures consistently above 95°C

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(2032P), detergent, abrasive and scouring agents, solvents, or corrosive atmospheres.

"Extreme performance coating" means any coating which during intended use is exposed to extreme environmental conditions.

"Fabric coating" means any coating applied on textile coatings by impregnation.

"Fabric coating facility" means a facility that includes one or more fabric coating lines.

"Fabric coating line" means a coating line in which any protective, decorative, or functional coating or reinforcing material is applied on or impregnated into a textile fabric.

"Federally enforceable" means all limitations and conditions which are enforceable by the Administrator including these requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within any applicable implementation plan, and any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51 Subpart I and 40 CFR 51.166.

"Final repair coat" means the repainting of any topecoat which is damaged during vehicle assembly.

"Firebox" means the chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Fixed roof tank" means a cylindrical shell with a permanently affixed roof.

"Flexographic printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Flexographic printing line" means a printing line in which each roll printer uses a roll with raised areas for applying an image such as words, designs, or

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"pictures to a substrate. The image carrier on the roll is made of rubber or other elastomeric material.

"floating roof" means a roof on a stationary tank, reservoir, or other container which moves vertically upon change in volume of the stored material.

"fountain solution" means the solution which is applied to the image plate to maintain hydrophilic properties of the non-image areas.

"freeboard height" means for open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"fuel combustion emission source" means any furnace, boiler, or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

"fuel gas system" means a system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls, and distribution piping.

"gas service" means that the component contains process fluid that is in the gaseous state at operating conditions.

"gas/gas method" means either of two methods for determining capture which rely only on gas phase measurements. The first method requires construction of a temporary total enclosure (TTE) to ensure that all would-be fugitive emissions are measured. The second method uses the building or room which houses the facility as an enclosure. The second method requires that all other VOM sources within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

"gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kPa or greater which is used as a fuel for internal combustion engines.

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"gasoline dispensing facility" means any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"green tire spraying" means the spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

"green tires" means assembled tires before molding and curing have occurred.

"gross vehicle weight" means the manufacturer's gross weight rating for the individual vehicle.

"gross vehicle weight rating" means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.

"heated airless spray" means an airless spray coating method in which the coating is heated just prior to application.

"heatset" means a class of web-offset lithography which requires a heated dryer to solidify the printing inks.

"heatset web-offset lithographic printing line" means a lithographic printing line in which a blanket cylinder is used to transfer ink from a plate cylinder to a substrate continuously fed from a roll or an extension process and an oven is used to solidify the printing inks.

"heavy liquid" means liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3°K (70°F) established in a standard reference test or as determined by ASTM method D2879-86 (incorporated by reference in Section 218.112), or which has 0.1 Reid Vapor Pressure as determined by ASTM method D223-82 (incorporated by reference in Section 218.112), or which when distilled requires a temperature of 421.05°K (300°F) or greater to recover 10 percent of the liquid as determined by ASTM method D86-82 (incorporated by reference in Section 218.112).



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"Heavy off-highway vehicle products" means, for the purpose of Subpart F of this part, heavy construction, mining, farming, or material handling equipment, heavy industrial engines, diesel-electric locomotives and associated power equipment, and the components of such equipment or engines.

"Heavy off-highway vehicle products coating facility" means a facility that includes one or more heavy off-highway vehicle products coating line(s).

"Heavy off-highway vehicle products coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of heavy off-highway vehicle products.

"High temperature aluminum coating" means a coating that is certified to withstand a temperature of 537.8°C (1000°F) for 24 hours.

"Hood" means a partial enclosure or canopy for capturing and exhausting, by means of a draft, the organic vapors or other fumes rising from a coating process or other source.

"Hood capture efficiency" means the emissions from a process which are captured by the hood and directed into a control device, expressed as a percentage of all emissions.

"Hot well" means the reservoir of a condensing unit receiving the condensate from a barometric condenser.

"Hour" means a block period of 60 minutes (e.g., 1:00am to 2:00am).

"In-process tank" means a container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating or cleaning operations in the manufacture of pharmaceuticals.

"In-situ Sampling Systems" means nonextractive samplers or in-line samplers.

"In-vacuum service" means, for the purpose of Subpart Q of this part, equipment which is operating at an internal pressure that is at least 5 kPa (0.73 psia)

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below ambient pressure.

"Incinerator" means a combustion apparatus in which refuse is burned.

"Indirect heat transfer" means transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

"Ink" means a coating used in printing, impressing, or transferring an image onto a substrate.

"Interior body spray coat" means a coating applied by spray to the interior of a can body.

"Internal floating roof" means a cover or roof in a fixed roof tank which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

"Lacquers" means any clear wood finishes formulated with nitrocellulose or synthetic resins to dry by evaporation without chemical reaction, including clear lacquer sanding sealers.

"Large appliance" means any residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

"Large appliance coating" means any coating applied to the component metal parts (including, but not limited to, doors, cases, lids, panels, and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

"Large appliance coating facility" means a facility that includes one or more large appliance coating line(s).

"Large appliance coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of large appliances.



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"Light liquid" means VOM in the liquid state which is not defined as heavy liquid.

"Light duty truck" means any motor vehicle rated at 3,050 kg gross vehicle weight or less, designed mainly to transport property.

"Liquid/gas method" means either of two methods for determining capture which require both gas phase and liquid phase measurements and analysis. The first method requires construction of a TIE. The second method uses the building or room which houses the facility as an enclosure. The second method requires that all other VOM sources within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

"Liquid Mounted Seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

"Liquid service" means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

"Liquids Dripping" means any visible leaking from a seal including spraying, misting, clouding and ice formation.

"Lithographic printing line" means a printing line, except that the substrate is not necessarily fed from an unwinding roll, in which each roll printer uses a roll where both the image and non-image areas are essentially in the same plane (planographic).

"Low Solvent Coating" means a coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water borne, higher solids, electro-deposition and powder coatings.

"Magnet wire" means aluminum or copper wire formed into an electromagnetic coil.

"Magnet wire coating" means any coating or electrically

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insulating varnish or enamel applied to magnet wire.

"Magnet wire coating facility" means a facility that includes one or more magnet wire coating line(s).

"Magnet wire coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of a magnet wire.

"Malfunction" means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

"Manufacturing process" means a method whereby a process emission source or series of process emission sources is used to raw materials, feed stocks, subassemblies, or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Material Recovery Section" means any equipment designed to transport and recover styrene monomer and other impurities from other products and by products in a polystyrene plant, including but not limited to the styrene devolatilizer unit and styrene recovery unit.

"Maximum theoretical emissions" means the quantity of volatile organic material emissions that theoretically could be emitted by a stationary source before add-on controls based on the design capacity or maximum production capacity of the source and 8760 hours per year. The design capacity or maximum production capacity includes use of coating(s) or ink(s) with the highest volatile organic material content actually used in practice by the source. Provided, however, the Agency shall, when appropriate, and upon request by the permit applicant, limit the "maximum theoretical emissions" of a source by the imposition of conditions in a federally enforceable operating permit for such source. Such conditions shall not be inconsistent with requirement of the Clean Air Act, as amended, or any applicable requirements established by the Board. Such conditions shall be established in place of design

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capacity or maximum production capacity in calculating the "maximum theoretical emissions" for such source and may include, among other things, the establishment of production limitations, capacity limitations, emission limitations, or limitations on the volatile organic material content of coatings or inks, or the hours of operation of any emission source, or a combination of any such limitations.

Production or capacity limitations shall be established on basis of no longer than one month except in those cases where a limit spanning a longer period of time is appropriate. In such cases, a rolling limit shall be employed. Any production or capacity limitations shall be verified through appropriate recordkeeping. (Board Note: The USEPA may deem operating permits which do not conform to the operating permit program requirements and the requirements of USEPA's underlying regulations, including the requirement that limitations be quantifiable and enforceable as a practical matter, not "federally enforceable.")

"Metal furniture" means a furniture piece including, but not limited to, tables, chairs, waste baskets, beds, desks, lockers, benches, shelving, file cabinets, lamps, and room dividers.

"Metal furniture coating" means any non-adhesive coating applied to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, waste baskets, beds, desks, lockers, benches, shelving, file cabinets, lamps, and room dividers. This definition shall not apply to any coating line coating miscellaneous metal parts or products.

"Metal furniture coating facility" means a facility that includes one or more metal furniture coating line(s).

"Metal furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of metal furniture.

"Metallic shoe-type seal" means a primary or secondary seal constructed of metal sheets (shoes) which are

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joined together to form a ring, springs, or levers which attach the shoes to the floating roof and hold the shoes against the tank wall, and a coated fabric which is suspended from the shoes to the floating roof. "Miscellaneous fabricated product manufacturing process" means:

A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting VOM:

Adhesives to fabricate or assemble components or products

Asphalt solutions to paper or fiberboard

Asphalt to paper or felt

Coatings or dye to leather

Coatings to plastic

Coatings to rubber or glass

Disinfectant material to manufactured items

Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pallets

Resin solutions to fiber substances

Viscose solutions for food casings

The storage and handling of formulations associated with the process described above, and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition.

"Miscellaneous formulation manufacturing process" means:

A manufacturing process which compounds one or more of the following and is capable of emitting VOM:



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## Adhesives

## Asphalt solutions

## Caulks, sealants, or waterproofing agents

## Coatings, other than paint and ink

## Concrete curing compounds

## Dyes

## Friction materials and compounds

## Resin solutions

## Rubber solutions

## Viscose solutions

The storage and handling of formulations associated with the process described above, and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition.

"Miscellaneous metal parts or products" means any metal part or metal product, even if attached to or combined with a nonmetal part or product, except cans, coils, metal furniture, large appliances, magnet wire, automobiles, ships, and airplane bodies.

"Miscellaneous metal parts and products coating" means any coating applied to any metal part or metal product, even if attached to or combined with a nonmetal part or product, except cans, coils, metal furniture, large appliances, and magnet wire. Prime coat, prime surfacer coat, topecoat, and final repair coat for automobiles and light-duty trucks are not miscellaneous metal parts and products coatings. However, underbody anti-chip (e.g., underbody plastisol) automobile and light-duty truck coatings are miscellaneous metal parts and products coatings. Also, automobile or light-duty truck refinishing coatings, coatings applied to the exterior of marine vessels, coatings applied to the exterior of airplanes, and the customised topecoating of automobiles and trucks if production is less than 35

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vehicles per day are not miscellaneous metal parts and products coatings.

"Miscellaneous metal parts or products coating facility" means a facility that includes one or more miscellaneous metal parts or products coating lines.

"Miscellaneous metal parts or products coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of miscellaneous metal parts or products.

"Miscellaneous organic chemical manufacturing process" means:

A manufacturing process which produces, by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting VOC:

Chemicals listed in Appendix A of this Part

Chlorinated and sulfonated compounds

Cosmetic, detergent, soap, or surfactant intermediaries or specialties and products

Disinfectants

Food additives

Oil and petroleum product additives

Plasticizers

Resins or polymers

Rubber additives

Sweeteners

Varnishes

The storage and handling of formulations associated with the process described above and the use and handling of organic liquids and other substances for clean-up operations associated with the process



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~~described in this definition.~~

~~"Monitor" means to measure and record.~~

~~"Multiple package coating" means a coating made from more than one different ingredient which must be mixed prior to using and has a limited pot life due to the chemical reaction which occurs upon mixing.~~

~~"No Detectable Volatile Organic Material Emissions" means a discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(e).~~

~~"Offset" means, with respect to printing and publishing operations, use of a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed.~~

~~"Opaque stains" means all stains that are not semi-transparent stains.~~

~~"Open top vapor degreasing" means the batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.~~

~~"Open ended valve" means any valve, except pressure relief devices, having one side of the valve in contact with process fluid and one side open to the atmosphere, either directly or through open piping.~~

~~"Operator of Gasoline Dispensing Facility" means any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.~~

~~"Organic compound" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.~~

~~"Organic material" means any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as solvents, viscosity reducers, or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates, and ammonium carbonate.~~

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~~"Organic vapor" means the gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.~~

~~"Oven" means a chamber within which heat is used for one or more of the following purposes: dry, bake, cure, or polymerize a coating or ink.~~

~~"Overall control" means the product of the capture efficiency and the control device efficiency.~~

~~"Overvarnish" means a transparent coating applied directly over ink or coating.~~

~~"Owner of Gasoline Dispensing Facility" means any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.~~

~~"Owner or operator" means any person who owns, operates, leases, controls, or supervises an emission source or air pollution control equipment.~~

~~"Packaging rotogravure printing" means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.~~

~~"Packaging rotogravure printing line" means a rotogravure printing line in which surface coatings are applied to paper, paperboard, foil, film, or other substrates which are to be used to produce containers, packaging products, or labels for articles.~~

~~"Paint manufacturing plant" means a plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes, or pigmented surface coatings.~~

~~"Paper coating" means any coating applied on paper, plastic film, or metallic foil to make certain products, including (but not limited to) adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper, or pressure sensitive tapes. Paper coating includes the application of coatings by impregnation and/or saturation.~~

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"paper-coating facility" means a facility that includes one or more paper-coating lines.

"paper-coating line" means a coating line in which any protective, decorative, or functional coating is applied on, saturated into, or impregnated into paper, plastic film, or metallic foil to make certain products, including (but not limited to) adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper, and pressure sensitive tapes.

"parts per million (volume)" means a volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volume of gas.

"person" means any individual, corporation, partnership, association, State, municipality, political subdivision of a State, any agency, department, or instrumentality of the United States, and any officer, agent, or employee thereof.

"petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

"petroleum liquid" means crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in ASTM D-396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in ASTM D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in ASTM D-975-68.

"petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum, or through redistillation, cracking, or reforming of unfinished petroleum derivatives.

"pharmaceutical" means any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment, or cure of disease in human and animal.

"pharmaceutical coating operation" means a device in which a coating is applied to a pharmaceutical.

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including air-drying or curing of the coating.

"photochemically Reactive Material" means any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation 5 percent. This definition does not apply to perchloroethylene or trichloroethylene.

A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent.

A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.

"pigmented coatings" means opaque coatings containing binders and colored pigments which are formulated to conceal the wood surface either as an undercoat or topcoat.

"plant" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual, 1987" (incorporated by reference in Section 218.112).



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"plasticizers" means a substance added to a polymer composition to soften and add flexibility to the product.

"pneumatic Rubber Tire Manufacture" means the production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.

"polystyrene Plant" means any plant using styrene to manufacture polystyrene resin.

"polystyrene Resin" means substance consisting of styrene polymer and additives which is manufactured at a polystyrene plant.

"pressure Release" means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

"pressure Tank" means a tank in which fluids are stored at a pressure greater than atmospheric pressure.

"prime coat" means the first of two or more coatings applied to a surface.

"prime surfacer coat" means a coating used to touch-up areas on the surface of automobile or light duty truck bodies not adequately covered by the prime coat before application of the top coat. The prime surfacer coat is applied between the prime coat and topcoat. An anti-chip coating applied to main body parts (e.g., rocker panels, bottom of doors and fenders, and leading edge of roof) is a prime surfacer coat.

"primers" means any coatings formulated and applied to substrates to provide a firm bond between the substrate and subsequent coats.

"printing" means the application of words, designs, and pictures to a substrate using ink.

"printing line" means an operation consisting of a series of one or more roll printers and any associated

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roll coaters, drying areas, and ovens wherein one or more coatings are applied, dried, and/or cured.

"process" means any stationary emission source other than a fuel combustion emission source or an incinerator.

"process Unit" means components assembled to produce, as intermediate or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 218 Appendix A. A process unit can operate independently if supplied with sufficient feed of raw materials and sufficient storage facilities for the product.

"process Unit Shutdown" means a work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.

"production equipment exhaust system" means a system for collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges, and other process emission sources.

"publication rotogravure printing line" means a rotogravure printing line in which coatings are applied to paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, or other types of printed material.

"purged Process Fluid" means liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"reactor" means a vat, vessel, or other device in which chemical reactions take place.

"Reasonably Available Control Technology (RACT)" means the lowest emission limitation that an emission source



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is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refiner" means any person who owns, leases, operates, controls, or supervises a refinery.

"Refinery Fuel Gas" means any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

"Refinery unit, process unit or unit" means a set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.

"Refrigerated condenser" means a surface condenser in which the coolant supplied to the condenser has been cooled by a mechanical device, other than by a cooling tower or evaporative spray cooling, such as refrigeration unit or steam chiller unit.

"Reid vapor pressure" means the standardized measure of the vapor pressure of a liquid in pounds per square inch absolute (Psia) at 100°F (37.8°C).

"Repair coatings" means coatings used to correct imperfections or damage to furniture surface.

"Repaired" means, for the purpose of Subpart Q of this Part, that equipment component has been adjusted, or otherwise altered, to eliminate a leak.

"Residual Fuel Oil" means fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A.S.T.M. D-396-69 (1971).

"Retail Outlet" means any gasoline dispensing facility at which gasoline is sold or offered for sale for use in motor vehicles.

"Roll coater" means an apparatus in which a uniform layer of coating is applied by means of one or more rolls across the entire width of a moving substrate.

"Roll printer" means an apparatus used in the

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application of words, designs, and pictures to a substrate, usually by means of one or more rolls each with only partial coverage.

"Roll printing" means the application of words, designs, and pictures to a substrate usually by means of a series of hard rubber or metal rolls each with only partial coverage.

"Roller coating" means a method of applying a coating to a sheet or strip in which the coating is transferred by a roller or series of rollers.

"Rolling limit" means that a limit or limitation must not exceed an annual limit rolled on a basis of at most a month monthly basis; that is, for example, a monthly production or capacity level must be determined for each parameter subject to a production or capacity limitation and added to the eleven prior monthly levels for monthly comparison with the annual limit.

"Rotogravure printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"Rotogravure printing line" means a printing line in which each roll printer uses a roll with recessed areas for applying an image to a substrate.

"Safety relief valve" means a valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"Sanding sealers" means any coatings formulated for and applied to bare wood for sanding and to seal the wood for subsequent application of varnish. To be considered a sanding sealer a coating must be clearly labelled as such.

"Sealer" means a coating containing binders which seals wood prior to the application of the subsequent coatings.

"Sensor" means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

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"Semi-transparent stains" means stains containing dyes or semi-transparent pigments which are formulated to enhance wood grain and change the color of the surface but not to conceal the surface, including, but not limited to, sap stain, toner, non-grain raising stains, pad stain, or spatter stain.

"Set of safety relief valves" means one or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"Sheet basecoat" means a coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two piece or three piece cans.

"Side seam spray-coat" means a coating applied to the seam of a three piece can.

"Single coat" means one coating application applied to a metal surface.

"Solvent" means a liquid substance that is used to dissolve or dilute another substance.

"Solvent cleaning" means the process of cleaning soils from surfaces by cold cleaning, open top vapor degreasing, or conveyORIZED degreasing.

"Specified air contaminant" means any air contaminant as to which this Part contains emission standards or other specific limitations.

"Splash loading" means a method of loading a tank, railroad tank car, tank truck, or trailer by use of other than a submerged loading pipe.

"Stack" means a flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"Standard conditions" means a temperature of 70°F and a pressure of 14.7 psia.

"Standard cubic foot (scf)" means the volume of one cubic foot of gas at standard conditions.

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"Standard Industrial Classification Manual" means the Standard Industrial Classification Manual (1987) Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (incorporated by reference in Section 218.112)

"Start-up" means the setting in operation of an emission source for any purpose.

"Stationary emission source" mean an emission source which is not self-propelled.

"Storage tank or storage vessel" means any stationary tank, reservoir or container used for the storage of VOL.

"Styrene Devolatilizer Unit" means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

"Styrene Recovery Unit" means equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as a raw material in the polystyrene plant.

"Submerged loading pipe" means any discharge pipe or nozzle which meets either of the following conditions:

Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is 15 cm (6 in.) above the bottom of the tank.

Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is 46 cm (18 in.) above the bottom of the tank.

"Substrate" means the surface onto which a coating is applied or into which a coating is impregnated.

"Surface condenser" means a device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.



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"Synthetic Organic Chemical or Polymer Manufacturing Plant" means a plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 210 Appendix A.

"Tablet coating operation" means a pharmaceutical coating operation in which tablets are coated.

"Thirty-day rolling average" means any value arithmetically averaged over any consecutive thirty days.

"Three-piece can" means a can which is made from a rectangular sheet and two circular ends.

"Topcoat" means a coating applied in a multiple-coat operation other than prime coat, final repair coat, or prime surface coat.

"Tapecoat operation" means all topcoat spray booths, flash-off areas, and bake ovens at a facility which are used to apply, dry, or cure the final coatings (except final off-line repair) on components of automobile or light-duty truck bodies.

"Transfer efficiency" means the ratio of the amount of coating solids deposited onto a part or product to the total amount of coating solids used.

"Tread-End Cementing" means the application of a solvent-based cement to the tire tread ends.

"True vapor pressure" means the equilibrium partial pressure exerted by a volatile organic liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks," second edition, February 1990 (incorporated by reference in Section 210.112).

"Turnaround" means the procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.

"Two-piece can" means a can which is drawn from a shallow cup and requires only one end to be attached.

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"Undercoaters" means any coatings formulated for and applied to substrates to provide a smooth surface for subsequent coats.

"Underthread Cementing" means the application of a solvent-based cement to the underside of a tire tread.

"Unregulated safety relief valve" means a safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.

"Vacuum producing system" means any reepproating, rotary, or centrifugal blower or compressor or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.

"Valves not externally regulated" means valves that have no external controls, such as in-line check valves.

"Vapor balance system" means any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

"Vapor collection system" means all piping, seals, hoses, connections, pressure vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit and/or the storage tanks and vapor holder.

"Vapor control system" means any system that limits or prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.

"Vapor-Mounted Primary Seal" means a primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

"Vapor recovery system" means a vapor gathering system capable of collecting all VOM vapors and gases discharged from the storage tank and a vapor disposal system capable of processing such VOM vapors and gases



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~~"so as to prevent their emission to the atmosphere."~~

~~"vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.~~

~~"vinyl coating" means any topcoat or printing ink applied to vinyl coated fabric or vinyl sheets. Vinyl coating does not include plastisols.~~

~~"vinyl coating facility" means a facility that includes one or more vinyl coating line(s).~~

~~"vinyl coating line" means a coating line in which any protective, decorative or functional coating is applied onto vinyl coated fabric or vinyl sheets.~~

~~"volatile organic liquid (VOL)" means any substance which is liquid at storage conditions and which contains volatile organic compounds.~~

~~"volatile organic material (VOM) or volatile organic compound (VOC)" means "volatile organic material (VOM) or volatile organic compound (VOC)" as that term is defined in 35 Ill. Adm. Code Part 211.~~

~~"Volatile Petroleum Liquid" means any petroleum liquid with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.~~

~~"wash coat" means a coating containing binders which seals wood surfaces, prevents undesired staining, and controls penetration.~~

~~"Wastewater (Oil/Water) Separator" means any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals from water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.~~

~~"Web" means a substrate which is printed in continuous roll-fed presses.~~

~~"wood furniture" means room furnishings including cabinets (kitchen, bath, and vanity), tables, chairs, beds, sofas, shutters, art objects, wood paneling, wood flooring, and any other coated furnishings made of wood, wood composition, or fabricated wood materials.~~

~~"wood furniture coating facility" means a facility that includes one or more wood furniture coating line(s).~~

~~"wood furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied onto wood furniture.~~

~~"woodworking" means the shaping, sawing, grinding, smoothing, polishing, and making into products of any form or shape of wood.~~

The definitions of 35 Ill. Adm. Code 211 apply to this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.105 Test Methods and Procedures

## a) Coatings, Inks and Fountain Solutions

The following test methods and procedures shall be used to determine compliance of as applied coatings, inks, and fountain solutions with the limitations set forth in this Part.

- 1) Sampling: Samples collected for analyses shall be one-liter taken into a one-liter container at a location and time such that the sample will be representative of the coating as applied (i.e., the sample shall include any dilution solvent or other VOM added during the manufacturing process). The container must be tightly sealed immediately after the sample is taken. Any solvent or other VOM added after the sample is taken must be measured and accounted for in the calculations in subsection (a)(3) of this Section. For multiple package coatings, separate samples of each component shall be obtained. A mixed sample shall not be obtained as it will cure in the container. Sampling procedures shall follow the guidelines presented in:

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- A) ASTM D3925-81(1985) standard practice for sampling liquid paints and related pigment coating. This practice is incorporated by reference in Section 218.112 of this Part.
- B) ASTM E300-86 standard practice for sampling industrial chemicals. This practice is incorporated by reference in Section 218.112 of this Part.
- 2) Analyses: The applicable analytical methods specified below shall be used to determine the composition of coatings, inks, or fountain solutions as applied.

A) Method 24 of 40 CFR Part 60, Appendix A, incorporated by reference in Section 218.112 of this Part, shall be used to determine the VOM content and density of coatings. If it is demonstrated to the satisfaction of the Agency and the USEPA that plant coating formulation data are equivalent to Method 24 results, formulation data may be used. In the event of any inconsistency between a Method 24 test and a facility's formulation data, the Method 24 test will govern.

B) Method 24A of 40 CFR Part 60, Appendix A, incorporated by reference in Section 218.112 of this Part, shall be used to determine the VOM content and density of rotogravure printing inks and related coatings. If it is demonstrated to the satisfaction of the Agency and USEPA that the plant coating formulation data are equivalent to Method 24A results, formulation data may be used. In the event of any inconsistency between a Method 24A test and a facility's formulation data, the Method 24A test will govern.

C) The following ASTM methods are the analytical procedures for determining VOM:

- i) ASTM D1475-85: Standard test method for density of paint, varnish, lacquer and related products. This test method is incorporated by reference in Section

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218.112 of this Part.

- ii) ASTM D2369-87: Standard test method for volatile content of a coating. This test method is incorporated by reference in Section 218.112 of this Part.
- iii) ASTM D3792-86: Standard test method for water content of water-reducible paints by direct injection into a gas chromatograph. This test method is incorporated by reference in Section 218.112 of this Part.
- iv) ASTM D4017-81(1987): Standard test method for water content in paints and paint materials by the Karl Fischer method. This test method is incorporated by reference in Section 218.112 of this Part.
- v) ASTM D4457-85: Standard test method for determination of dichloromethane and 1,1,1, trichloroethane in paints and coatings by direct injection into a gas chromatograph. (The procedure delineated above can be used to develop protocols for any compounds specifically exempted from the definition of VOM.) This test method is incorporated by reference in Section 218.112 of this Part.
- vi) ASTM D2697-86: Standard test method for volume non-volatile matter in clear or pigmented coatings. This test method is incorporated by reference in Section 218.112 of this Part.
- vii) ASTM D3980-87: Standard practice for interlaboratory testing of paint and related materials. This practice is incorporated by reference in Section 218.112 of this Part.
- viii) ASTM E180-85: Standard practice for determining the precision data of ASTM



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methods for analysis of and testing of industrial chemicals. This practice is incorporated by reference in Section 218.112 of this Part.

- ix) ASTM D2372-85: Standard method of separation of vehicle from solvent-reducible paints. This method is incorporated by reference in Section 218.112 of this Part.

D) Use of an adaptation to any of the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section may not be used unless approved by the Agency and USEPA. An owner or operator must submit sufficient documentation for the Agency and USEPA to find that the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.

- 3) Calculations: Calculations for determining the VOM content, water content and the content of any compounds which are specifically exempted from any definition of VOM of coatings, inks and fountain solutions as applied shall follow the guidance provided in the following documents:-i

- A) "A Guide for Surface Coating Calculation", EPA-340/1-86-016, incorporated by reference in Section 218.112 of this Part.
- B) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coatings" (revised June 1986), EPA-450/3-84-019, incorporated by reference in Section 218.112 of this Part.
- C) "A Guide for Graphic Arts Calculations", August 1988, EPA-340/1-88-003, incorporated by reference in Section 218.112 of this Part.

b) Automobile or Light-Duty Truck Test Protocol

- 1) The protocol for testing, including determining the transfer efficiency, of coating applicators.

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at primer surfacer operations and topcoat coating operations at an automobile or light-duty truck assembly facility source shall follow the procedures in: "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations" ("topcoat protocol"), December 1988, EPA-450/3-88-018, incorporated by reference in Section 218.112 of this Part.

- 2) Prior to testing pursuant to the topcoat protocol, the owner or operator of a coating operation subject to the topcoat or primer surfacer limit in Sections 218.204(a)(2) or 218.204(a)(3) shall submit a detailed testing proposal specifying the method by which testing will be conducted and how compliance will be demonstrated consistent with the topcoat protocol. The proposal shall include, at a minimum, a comprehensive plan (including a rationale) for determining the transfer efficiency at each booth through the use of in-plant or pilot testing, the selection of coatings to be tested (for the purpose of determining transfer efficiency) including the rationale for coating groupings, the method for determining the analytic VOM content of as applied coatings and the formulation solvent content of as applied coatings, and a description of the records of coating VOM content as applied and coating's usage which will be kept to demonstrate compliance. Upon approval of the proposal by the Agency and USEPA, the compliance demonstration for a coating line may proceed.

c) Capture System Efficiency Test Protocols

- 1) Applicability

The requirements of subsection (c)(2) of this Section shall apply to all VOM emitting processes emission units employing capture equipment (e.g., hoods, ducts), except those cases noted below.

- A) If an source install emission unit is equipped with (or uses) a permanent total enclosure (PTE) that meets Agency and USEPA specifications, and which directs all VOM to



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a control device, then the source emission unit is exempted from the requirements described in subsection (c)(2) of this Section. The Agency and USEPA specifications to determine whether a structure is considered a PTE are given in Procedure T of Appendix B of this Part. In this instance, the capture efficiency is assumed to be 100 percent and the source emission unit is still required to measure control efficiency using appropriate test methods as specified in subsection (d) of this Section.

B) If an source uses emission unit is equipped with (or uses) a control device designed to collect and recover VOM (e.g., carbon adsorber), an explicit measurement of capture efficiency is not necessary provided that the conditions given below are met. The overall control of the system can be determined by directly comparing the input liquid VOM to the recovered liquid VOM. The general procedure for use in this situation is given in 40 CFR 60.433, incorporated by reference in Section 218.112 of this Part, with the following additional restrictions:

- i) ~~The source must be able to equate solvent usage with solvent recovery on a 24-hour (daily) basis, rather than a 30-day weighted average, within 72 hours following the 24-hour period. In addition, one of the following two criteria must be met: Unless otherwise specified in subsection (c)(1)(B)(ii) below, the owner or operator shall obtain data each operating day for the solvent usage and solvent recovery to permit the determination of the solvent recovery efficiency of the system each operating day using a 7-day rolling period. The recovery efficiency for each operating day is computed as the ratio of the total recovered solvent for that day and the most recent prior 6 operating days to the total solvent usage for the same 7-day period used for~~

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the recovered solvent, rather than a 30-day weighted average as given in 40 CFR 60.433 incorporated by reference at Section 218.112 of this Part. This ratio shall be expressed as a percentage. The ratio shall be computed within 72 hours following each 7-day period. A source that believes that the 7-day rolling period is not appropriate may use an alternative multi-day rolling period not to exceed 30 days, with the approval of the Agency and USEPA. In addition, the criteria in subsection (c)(1)(B)(iii) or subsection (c)(1)(B)(iv) below must be met.

## ii)

The owner or operator of the source engaged in printing located at 350 E. 22nd Street, Chicago, Illinois, shall obtain data each operating day for the solvent usage and solvent recovery to permit the determination of the solvent recovery efficiency of the system each operating day using a 14-day rolling period. The recovery efficiency for each operating day is computed as the ratio of the total recovered solvent for that day and the most recent prior 13 operating days to the total solvent usage for the same 14-day period used for the recovered solvent, rather than a 30-day weighted average as given in 40 CFR 60.433, incorporated by reference in Section 218.112 of this Part. This ratio shall be expressed as a percentage. The ratio shall be computed within 17 days following each 14-day period. In addition, the criteria in subsection (c)(1)(B)(iii) or subsection (c)(1)(B)(iv) below must be met.

## iii)

The solvent recovery system (i.e., capture and control system) must be dedicated to a single coating line, printing line, or other discrete activity that by itself is subject to an applicable VOM emission standard.

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~~process line (e.g., one process line venting to a carbon adsorber system), or~~

## iii)iv)

If the solvent recovery system controls more than one coating line, printing line or other discrete activity that by itself is subject to an applicable VOM emission standard, the overall control (i.e., the total recovered VOM divided by the sum of liquid VOM input from all lines and other activities venting to the control system) must meet or exceed the most stringent standard applicable to any line or other discrete activity venting to the control system. Multiple process lines, then the source must be able to demonstrate that the overall control (i.e., the total recovered solvent VOM divided by the sum of liquid VOM input to all process lines venting to the control system) meets or exceeds the most stringent standard applicable for any process line venting to the control system.

## 2)

## Specific Requirements

The capture efficiency of an ~~process line~~ emission unit shall be measured using one of the four protocols given below. Any error margin associated with a test protocol may not be incorporated into the results of a capture efficiency test. If these techniques are not suitable for a particular process, then the ~~source~~ may use an alternative capture efficiency protocol ~~may be used~~, provided that the alternative protocol is approved by the Agency and approved by the USEPA as a SIP revision.

- A) Gas/gas method using temporary total enclosure (TTE). The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Procedure T of Appendix B of this Part. The capture efficiency equation to be used for this protocol is:

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$$CE = Gw / (Gw + Fw)$$

where:

CE = Capture efficiency, decimal fraction;

Gw = Mass of VOM captured and delivered to control device using a TTE;

Fw = Mass of fugitive VOM that escapes from a TTE.

Procedure G.2 contained in Appendix B of this Part is used to obtain Gw. Procedure F.1 in Appendix B of this Part is used to obtain Fw.

## B)

Liquid/gas method using TTE. The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Procedure T of Appendix B of this Part. The capture efficiency equation to be used for this protocol is:

$$CE = (L - Fw) / L$$

where:

CE = Capture efficiency, decimal fraction;

L = Mass of liquid VOM input to process emission unit;

Fw = Mass of fugitive VOM that escapes from a TTE.

Procedure L contained in Appendix B of this Part is used to obtain L. Procedure F.1 in Appendix B of this Part is used to obtain Fw.

## C)

Gas/gas method using the building or room (building or room enclosure), in which the affected coating line, printing line or other ~~source~~ emission unit is located, as the enclosure and in which "F" and "G" are measured while operating only the affected

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line or facility emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

$$CE = G / (G + F_B)$$

where:

CE = Capture efficiency, decimal fraction;

G = Mass of VOM captured and delivered to control device;

F<sub>B</sub> = Mass of fugitive VOM that escapes from building enclosure.

Procedure G.2 contained in Appendix B of this Part is used to obtain G. Procedure F.2 in Appendix B of this Part is used to obtain F<sub>B</sub>.

- D) Liquid/gas method using the building or room (building or room enclosure), in which the affected coating line, printing line or other source emission unit is located, as the enclosure and in which "F" and "L" are measured while operating only the affected line or facility emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

$$CE = (L - F_B) / L$$

where:

CE = Capture efficiency, decimal fraction;

L = Mass of liquid VOM input to process emission unit;

F<sub>B</sub> = Mass of fugitive VOM that escapes from building enclosure.

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Procedure L contained in Appendix B of this Part is used to obtain L. Procedure F.2 in Appendix B of this Part is used to obtain F<sub>B</sub>.

3) Recordkeeping and Reporting

- A) All affected facilities owners or operators affected by this subsection must maintain a copy of the capture efficiency protocol submitted to the Agency and the USEPA on file. All results of the appropriate test methods and capture efficiency protocols must be reported to the Agency within sixty (60) days of the test date. A copy of the results must be kept on file with the source for a period of three (3) years.
- B) If any changes are made to capture or control equipment, then the source is required to notify the Agency and the USEPA of these changes and a new test may be required by the Agency or the USEPA.
- C) The source must notify the Agency 30 days prior to performing any capture efficiency or control test. At that time, the source must notify the Agency which capture efficiency protocol and control device test methods will be used.
- D) Sources utilizing a PTE must demonstrate that this enclosure meets the requirement given in Procedure T (in Appendix B of this Part) for a PTE during any testing of their control device.
- E) Sources utilizing a TTE must demonstrate that their TTE meets the requirements given in Procedure T (in Appendix B of this Part) for a TTE during testing of their control device. The source must also provide documentation that the quality assurance criteria for a TTE have been achieved.

- d) Control Device Efficiency Testing and Monitoring



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1) The control device efficiency shall be determined by simultaneously measuring the inlet and outlet gas phase VOM concentrations and gas volumetric flow rates in accordance with the gas phase test methods specified in subsection (f) of this Section.

2) Any owner or operator:

A) That uses an afterburner or carbon adsorber to comply with any Section of this Part 218 shall use Agency and USEPA approved continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the afterburner or carbon adsorber is in use except as provided in subsection (d)(3) of this Section. The continuous monitoring equipment must monitor the following parameters:

A) For each afterburner which does not have a catalyst bed, the combustion chamber temperature of each afterburner.

B) For each afterburner which has a catalyst bed, commonly known as a catalytic afterburner, the temperature rise across each catalytic afterburner bed or VOM concentration of exhaust.

C) For each carbon adsorber, the VOM concentration of each carbon adsorption bed exhaust or the exhaust of the bed next in sequence to be desorbed.

D) Of an automobile or light-duty truck, primer surfacer operation or topcoat operation subject to subsection (d)(2)(A) above, shall keep a separate record of the following data for the control devices, unless alternative provisions are set forth in a permit pursuant to Title V of the Clean Air Act:

i) For thermal afterburners for which combustion chamber temperature is

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monitored, all 3-hour periods of operation in which the average combustion temperature was more than 28°C (50°F) below the average combustion temperature measured during the most recent performance test that demonstrated that the operation was in compliance.

ii) For catalytic afterburners for which temperature rise is monitored, all 3-hour periods of operation in which the average gas temperature before the catalyst bed is more than 28°C (50°F) below the average gas temperature immediately before the catalyst bed measured during the most recent performance test that demonstrated that the operation was in compliance.

iii) For catalytic afterburners and carbon adsorbers for which VOM concentration is monitored, all 3-hour periods of operation during which the average VOM concentration or the reading of organics in the exhaust gases is more than 20 percent greater than the average exhaust gas concentration or reading measured by the organic monitoring device during the most recent determination of the recovery efficiency of a carbon adsorber or performance test for a catalytic afterburner, which determination or test demonstrated that the operation was in compliance.

3) An owner or operator that uses a carbon adsorber to comply with Section 218.401 of this Part may operate the adsorber during periods of monitoring equipment malfunction, provided that:

A) The owner or operator notifies in writing the Agency and USEPA within, 10 days after the conclusion of any 72 hour period during which the adsorber is operated and the associated monitoring equipment is not operational, of such monitoring equipment failure and

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provides the duration of the malfunction, a description of the repairs made to the equipment, and the total to date of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational;

B) During such period of malfunction the adsorber is operated using timed sequences as the basis for periodic regeneration of the adsorber;

C) The period of such adsorber operation does not exceed 360 hours in any calendar year without the approval of the Agency and USEPA; and

D) The total of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational shall be reported, in writing, to the Agency and USEPA by January 31st of the following calendar year.

## e) Overall Efficiency

1) The overall efficiency of the emission control system shall be determined as the product of the capture system efficiency and the control device efficiency or by the liquid/liquid test protocol as specified in 40 CFR 60.433, incorporated by reference in Section 218.112 of this Part, (and revised by subsection (c)(1)(B) of this Section) for each solvent recovery system. In those cases in which the overall efficiency is being determined for an entire line, the capture efficiency used to calculate the product of the capture and control efficiency is the total capture efficiency over the entire line.

2) For coating lines which are both chosen by the owner or operator to comply with Section 218.207(a)(c), (d), (e), (f), or (g) of this Part by the alternative in Section 218.207(b)(2) of this Part and meet the criteria allowing them to comply with Section 218.207 of this Part instead of Section 218.204 of this Part, the overall

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efficiency of the capture system and control device, as determined by the test methods and procedures specified in subsections (c), (d) and (e)(1) of this Section, shall be no less than the equivalent overall efficiency which shall be calculated by the following equation:

$$E = ([VOM_1 - VOM_i] / VOM_i) \times 100$$

where:

E = Equivalent overall efficiency of the capture system and control device as a percentage;

VOM<sub>i</sub> = Actual VOM content of a coating, or the daily-weighted average VOM content of two or more coatings (if more than one coating is used), as applied to the subject coating line as determined by the applicable test methods and procedures specified in subsection (a) of this Section in units of kg VOM/l (lb VOM/gal) of coating solids as applied;

VOM<sub>1</sub> = The VOM emission limit specified in Sections ~~218.207(a)~~ or ~~(b)~~ 218.204 or 218.205 of this Part in units of kg VOM/l (lb VOM/gal) of coating solids as applied.

f) Volatile Organic Material Gas Phase Source Test Methods  
The methods in 40 CFR Part 60, Appendix A, incorporated by reference in Section 218.112 of this Part delineated below shall be used to determine control device efficiencies.

1) 40 CFR Part 60, Appendix A, Method 18, 25 or 25A, incorporated by reference in Section 218.112 of this Part as appropriate to the conditions at the site, shall be used to determine VOM concentration. Method selection shall be based on consideration of the diversity of organic species present and their total concentration and on

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consideration of the potential presence of interfering gases. Except as indicated in subsections (f)(1)(A) and (B) below, the test shall consist of three separate runs, each lasting a minimum of 60 min, unless the Agency and the USEPA determine that process variables dictate shorter sampling times.

- A) When the method is to be used to determine the efficiency of a carbon adsorption system with a common exhaust stack for all the individual adsorber vessels, the test shall consist of three separate runs, each coinciding with one or more complete sequences through the adsorption cycles of all the individual adsorber vessels.
- B) When the method is to be used to determine the efficiency of a carbon adsorption system with individual exhaust stacks for each adsorber vessel, each adsorber vessel shall be tested individually. The test for each adsorber vessel shall consist of three separate runs. Each run shall coincide with one or more complete adsorption cycles.
- 2) 40 CFR Part 60, Appendix A, Method 1 or 1A, incorporated by reference in Section 218.112 of this Part, shall be used for sample and velocity traverses.
- 3) 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D, incorporated by reference in Section 218.112 of this Part, shall be used for velocity and volumetric flow rates.
- 4) 40 CFR Part 60, Appendix A, Method 3, incorporated by reference in Section 218.112 of this Part, shall be used for gas analysis.
- 5) 40 CFR Part 60, Appendix A, Method 4, incorporated by reference in Section 218.112 of this Part, shall be used for stack gas moisture.
- 6) 40 CFR Part 60, Appendix A, Methods 2, 2A, 2C, 2D, 3 and 4, incorporated by reference in Section 218.112 of this Part, shall be performed, as

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applicable, at least twice during each test run.

- 7) Use of an adaptation to any of the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section may not be used unless approved by the Agency and the USEPA on a case by case basis. An owner or operator must submit sufficient documentation for the Agency and the USEPA to find that the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.
- g) Leak Detection Methods for Volatile Organic Material  
Owners or operators required by this Part to carry out a leak detection monitoring program shall comply with the following requirements:
  - 1) Leak Detection Monitoring
    - A) Monitoring shall comply with 40 CFR 60, Appendix A, Method 21, incorporated by reference in Section 218.112 of this Part.
    - B) The detection instrument shall meet the performance criteria of Method 21.
    - C) The instrument shall be calibrated before use on each day of its use by the methods specified in Method 21.
    - D) Calibration gases shall be:
      - i) Zero air (less than 10ppm of hydrocarbon in air); and
      - ii) A mixture of methane or n-hexane and air at a concentration of approximately, but no less than, 10,000 ppm methane or n-hexane.
    - E) The instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Method 21.



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- 2) When equipment is tested for compliance with no detectable emissions as required, the test shall comply with the following requirements:
- A) The requirements of subsections (g)(1)(A) through (g)(1)(E) of this Section above shall apply.
- B) The background level shall be determined as set forth in Method 21.
- 3) Leak detection tests shall be performed consistent with:
- A) "API Course SI 417 controlling Volatile Organic Compound Emissions from Leaking Process Equipment", EPA-450/2-82-015, incorporated by reference in Section 218.112 of this Part.
- B) "Portable Instrument User's Manual for Monitoring VOC Sources", EPA-340/1-86-015, incorporated by reference in Section 218.112 of this Part.
- C) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOC and VHAP", EPA-450/3-88-010, incorporated by reference in Section 218.112 of this Part.
- D) "Petroleum Refinery Enforcement Manual", EPA-340/1-80-008, incorporated by reference in Section 218.112 of this Part.
- h) Bulk Gasoline Delivery System Test Protocol
- 1) The method for determining the emissions of gasoline from a vapor recovery system are delineated in 40 CFR 60, Subpart XX, Section 60.503, incorporated by reference in Section 218.112 of this Part.
- 2) Other tests shall be performed consistent with:
- A) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", EPA-340/1-80-012,

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- incorporated by reference in Section 218.112 of this Part.
- B) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", EPA-450/2-77-026, incorporated by reference in Section 218.112 of this Part.
- i) Notwithstanding other requirements of this Part, upon request of the Agency where it is necessary to demonstrate compliance, an owner or operator of an emission source unit which is subject to this Part shall, at his own expense, conduct tests in accordance with the applicable test methods and procedures specific in this Part. Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.
- j) Stage II Gasoline Vapor Recovery Test Methods
- The methods for determining the acceptable performance of Stage II Gasoline Vapor Recovery System are delineated in "Technical Guidance-Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities," found at EPA 450/3-91-022b and incorporated by reference in Section 218.112 of this Part. Specifically, the test methods are as follows:
- 1) Dynamic Backpressure Test is a test procedure used to determine the pressure drop (flow resistance) through balance vapor collection and control systems (including nozzles, vapor hoses, swivels, dispenser piping and underground piping) at prescribed flow rates.
- 2) Pressure Decay/Leak Test is a test procedure used to quantify the vapor tightness of a vapor collection and control system installed at gasoline dispensing facilities.
- 3) Liquid Blockage Test is a test procedure used to detect low points in any vapor collection and control system where condensate may accumulate.
- (Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## Section 218.106 Compliance Dates

- a) Compliance with the requirements of all rules is required by July, 1991, or September 1, 1991, for all sources located in Cook, DuPage, Kane, Lake, McHenry or Will Counties, consistent with the appropriate provisions of Section 218.103 of this Part.
- b) Compliance with the requirements of this Part is required by November 15, 1993, for all sources located in Aux Sable Township or Goose Lake Township in Grundy County or in Oswego Township in Kendall County.

(Source: Amended at 17 Ill. Reg. <sup>16636</sup>, effective September 27, 1993)

## Section 218.107 Operation of Afterburners

The operation of any natural gas fired afterburner and capture system used to comply with this Part is not required during the period of November 1 of any year to April 1 of the following year provided that the operation of such devices is not required for purposes of occupational safety or health, or for the control of toxic substances, odor nuisances, or other regulated pollutants.

(Source: Amended at 17 Ill. Reg. <sup>16636</sup>, effective September 27, 1993)

## Section 218.109 Vapor Pressure of Volatile Organic Liquids

- a) If the VOL consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112 of this Part) or the vapor pressure may be obtained from a ~~published source~~ publication such as: Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

- b) If the VOL is a mixture, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112) or by the following equation:

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$$P_{vol} = \sum_{i=1}^n P_i X_i$$

where:

- $P_{vol}$  = Total vapor pressure of the mixture<sub>7,i</sub>
- $n$  = Number of components in the mixture<sub>7,i</sub>
- $i$  = Subscript denoting an individual component<sub>7,i</sub>
- $P_i$  = Vapor pressure of a component determined in accordance with ~~Subpart A of this Part~~ subsection (a) of this Section;
- $X_i$  = Mole fraction of the component in the total mixture.

(Source: Amended at 17 Ill. Reg. <sup>16636</sup>, effective September 27, 1993)

## Section 218.110 Vapor Pressure of Organic Material or Solvent

- a) If the organic material or solvent consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112 of this Part) or the vapor pressure may be obtained from a ~~published source~~ publication such as: Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

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- b) If the organic material or solvent is in a mixture made up of both organic material compounds and compounds which are not organic material, the vapor pressure shall be determined by the following equation:

$$P_{\text{vom}} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n X_i}$$

where:

$P_{\text{om}}$  = Total vapor pressure of the portion of the mixture which is composed of organic material<sub>7i</sub>

$n$  = Number of organic material components in the mixture<sub>7i</sub>

$i$  = Subscript denoting an individual component<sub>7i</sub>

$P_i$  = Vapor pressure of an organic material component determined in accordance with ~~Subpart A of this Part~~ subsection (a) of this Section<sub>7i</sub>

$X_i$  = Mole fraction of the organic material component of the total mixture.

- c) If the organic material or solvent is in a mixture made up of only organic material compounds, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112 of this Part) or by the above equation.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.111 Vapor Pressure of Volatile Organic Material

- a) If the VOM consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112 of this Part) or the vapor pressure may be obtained

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from a ~~published source~~ publication such as: Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

- b) If the VOM is in a mixture made up of both VOM compounds and compounds which are not VOM, the vapor pressure shall be determined by the following equation:

$$P_{\text{vom}} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n X_i}$$

where:

$P_{\text{vom}}$  = Total vapor pressure of the portion of the mixture which is composed of VOM<sub>7i</sub>

$n$  = Number of VOM components in the mixture<sub>7i</sub>

$i$  = Subscript denoting an individual component<sub>7i</sub>

$P_i$  = Vapor pressure of a VOM component determined in accordance with ~~Subpart A of this Part~~ subsection (a) of this Section<sub>7i</sub>

$X_i$  = Mole fraction of the VOM component of the total mixture.

- c) If the VOM is in a mixture made up of only VOM compounds, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 218.112 of this Part) or by the above equation.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)



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## Section 218.112 Incorporations by Reference

The following materials are incorporated by reference and do not contain any subsequent additions or amendments:

- a) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103:

- 1) ASTM D2879-86
- 2) ASTM D323-82
- 3) ASTM D86-82
- 4) ASTM D-369-69 (1971)
- 5) ASTM D-396-69
- 6) ASTM D2880-71
- 7) ASTM D-975-68
- 8) ASTM D3925-81 (1985)
- 9) ASTM E300-86
- 10) ASTM D1475-85
- 11) ASTM D2369-87
- 12) ASTM D3792-86
- 13) ASTM D4017-81 (1987)
- 14) ASTM D4457-85
- 15) ASTM D2697-86
- 16) ASTM D3980-87
- 17) ASTM E180-85
- 18) ASTM D2372-85
- 19) ASTM D97-66
- 20) ASTM E-168-67 (1977)
- 21) ASTM E-169-87
- 22) ASTM E-260-91
- 23) ASTM D2504-83
- 24) ASTM D2382-83
- 25) ASTM D323-82 (approved 1982)

- b) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1987.

- c) American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks", Second ed., February, 1980.

- d) 40 CFR Part 60 (July 1, 1990~~1991~~) and 40 CFR 60, Appendix A, Method 24 (57 FR 30654, July 10, 1992).

- e) 40 CFR Part 61 (July 1, 1990~~1991~~).

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- f) 40 CFR Part 50 (July 1, 1989~~1991~~).
- g) 40 CFR Part 51 (July 1, 1989~~1991~~).
- h) 40 CFR Part 52 (July 1, 1989~~1991~~).
- i) 40 CFR Part 80 (July 1, 1991).

~~††j~~j) "A Guide for Surface Coating Calculation", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-016.

~~††k~~k) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coating", (revised June 1986), United States Environmental Protection Agency, Washington D.C., EPA-450/3-84-019.

~~††l~~l) "A Guide for Graphic Arts Calculations", August 1988, United States Environmental Protection Agency, Washington D.C., EPA-340/1-88-003.

~~††m~~m) "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations", December 1988, United States Environmental Protection Agency, Washington D.C., EPA-450/3-88-018.

~~††n~~n) "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-029.

~~††o~~o) "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", Appendix B, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051.

~~††p~~p) "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-82-009.

q) "APTI Course SI417 Controlling Volatile Organic Compound Emissions from Leaking Process Equipment", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-82-015.

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- l) "Portable Instrument User's Manual for Monitoring VOC Sources", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-015.
- s) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOC and VHAP", United States Environmental Protection Agency, Washington, D.C., EPA-450/3-88-010.
- tl) "Petroleum Refinery Enforcement Manual", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-008.
- ul) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-012.
- vl) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026.
- wl) "Technical Guidance-Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities", United States Environmental Protection Agency, Washington, D.C., EPA-450/3-91-022b.
- xl) California Air Resources Board, Compliance Division. Compliance Assistance Program: Gasoline Marketing and Distribution: Gasoline Facilities Phase I & II (October 1988, rev. March 1991) (CARB Manual).

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

## Section 218.121 Storage Containers

No person shall cause or allow the storage of any VOL with a vapor pressure of 17.24 kPa (2.5 psia) or greater at 294.3°K (70°F) or any gaseous organic material in any stationary tank, reservoir or other container of more than 151 cubic meters (40,000 gal) capacity unless such tank, reservoir or other container:

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- a) Is a pressure tank capable of withstanding the vapor pressure of such liquid or the pressure of the gas, so as to prevent vapor or gas loss to the atmosphere at all times; or,
- b) Is designed and equipped with one of the following vapor loss control devices:
- 1) A floating roof which rests on the surface of the VOL and is equipped with a closure seal or seals between the roof edge and the tank wall. Such floating roof shall not be permitted if the VOL has a vapor pressure of 86.19 kPa (12.5 psia) or greater at 294.3°K (70°F). No person shall cause or allow the emission of air contaminants into the atmosphere from any gauging or sampling devices attached to such tanks, except during sampling or maintenance operations.
  - 2) A vapor recovery system consisting of:
    - A) A vapor gathering system capable of collecting 85% or more of the uncontrolled VOM that would be otherwise emitted to the atmosphere; and,
    - B) A vapor disposal system capable of processing such VOM so as to prevent its emission to the atmosphere. No person shall cause or allow the emission of air contaminants into the atmosphere from any gauging or sampling devices attached to such tank, reservoir or other container except during sampling.
  - 3) Other equipment or means of equal efficiency approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 218.108.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.122 Loading Operations

- a) No person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere during the loading of any organic material

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from the aggregate loading pipes of any loading facility area having through-put of greater than 151 cubic meters per day (40,000 gal/day) into any railroad tank car, tank truck or trailer unless such loading facility area is equipped with submerged loading pipes submerged fill or a device that is equally effective in controlling emissions and is approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 218.108.

- b) No person shall cause or allow the loading of any organic material into any stationary tank having a storage capacity of greater than 946 l (250 gal), unless such tank is equipped with a permanent submerged loading pipe, submerged fill or an equivalent device approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 218.108 of this Part, or unless such tank is a pressure tank as described in Section 218.121(a) of this Part or is fitted with a recovery system as described in Section 218.121(b) (2) of this Part.
- c) Exception: If no odor nuisance exists the limitations of this Section shall only apply to the loading of VOL with a vapor pressure of 17.24 kpa (2.5 psia) or greater at 294.3°K (70°F).

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.123 Petroleum Liquid Storage Tanks

- a) The requirements of subsection (b) of this Section shall not apply to any stationary storage tank:

- 1) Equipped before January 1, 1979 with one of the vapor loss control devices specified in Section 218.121(b) of this Part, except Section 218.121(b)(1) of this Part;
- 2) With a capacity of less than 151.42 cubic meters (40,000 gal);
- 3) With a capacity of less than 1,600 cubic meters (422,400 gal) and used to store produced crude oil and condensate prior to custody transfer;

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- 4) With a capacity of less than 1,430 cubic meters (378,000 gal) and used to store produced oil or condensate in crude oil gathering;
- 5) Subject to new source performance standards for storage vessels of petroleum liquid, 35-111, Adm. Code-230 40 CFR 60, as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT ... ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT] (Ill. Rev. Stat. 1991, ch. 111½, Par. 1009.1(b)) [415 ILCS 5/9.1(b)];
- 6) In which volatile petroleum liquid is not stored; or
- 7) Which is a pressure tank as described in Section 218.121(a) of this Part.

## b)

Subject to subsection (a) of this Section no owner or operator of a stationary storage tank shall cause or allow the storage of any volatile petroleum liquid in the tank unless:

- 1) The tank is equipped with one of the vapor loss control devices specified in Section 218.121(b) of this Part;
- 2) There are no visible holes, tears or other defects in the seal or any seal fabric or material of any floating roof;
- 3) All openings of any floating roof deck, except stub drains, are equipped with covers, lids or seals such that:
  - A) The cover, lid or seal is in the closed position at all times except when petroleum liquid is transferred to or from the tank;
  - B) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports; and



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- C) Rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting;

- 4) Routine inspections of floating roof seals are conducted through roof hatches once every six months;

- 5) A complete inspection of the cover and seal of any floating roof tank is made whenever the tank is emptied for reasons other than the transfer of petroleum liquid during the normal operation of the tank, or whenever repairs are made as a result of any semi-annual inspection or incidence of roof damage or defect; and

- 6) A record of the results of each inspection conducted under subsection (b) (4) or (b) (5) of this Section is maintained.

e) ~~Owners and operators of petroleum liquid storage tanks were required to have compliance schedules as summarized in Appendix C to 35 Ill. Adm. Code 215.~~

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.124 External Floating Roofs

- a) In addition to meeting the requirements of Section 218.123(b) of this Part, no owner or operator of a stationary storage tank equipped with an external floating roof shall cause or allow the storage of any volatile petroleum liquid in the tank unless:

- 1) The tank has been fitted:

A) ~~With~~ a continuous secondary seal extending from the floating roof to the tank wall (rim mounted secondary seal), or

B) ~~With any other device which controls VOC emissions with an effectiveness equal to or greater than a rim mounted secondary seal; equipment or means of equal efficiency approved by the Agency according to the~~

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provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 218.108 of this Part:

- 2) Each seal closure device meets the following requirements:

- A) The seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and tank wall; and
- B) The accumulated area of gaps exceeding 0.32 centimeter (1/8 inch) in width between the secondary seal and the tank wall shall not exceed 21.2 square centimeters per meter of tank diameter (1.0 square inches per foot of tank diameter). Compliance with this requirement shall be determined by:

i) Physically measuring the length and width of all gaps around the entire circumference of the secondary seal in each place where a 0.32 cm (0.125 in.) uniform diameter probe passes freely (without forcing or binding against the seal) between the seal and the tank wall; and

ii) Summing the area of the individual gaps.

- 3) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers across at least 90 percent of the area of the opening;

- 4) Openings are equipped with projections into the tank which remain below the liquid surface at all times;

- 5) Inspections are conducted prior to May 1 of each year to insure compliance with subsection (a) of this Section;

- 6) The secondary seal gap is measured prior to May 1 of each year, and within 30 days of a written request to demonstrate compliance with subsection (2)(B) of this Section.

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- 7) Records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, the results of the inspections and the results of the secondary seal gap measurements are maintained and available to the Agency, upon verbal or written request, at any reasonable time for a minimum of two years after the date on which the record was made.

- b) Subsection (a) above does not apply to any stationary storage tank equipped with an external floating roof:

- 1) Exempted under Section 218.123(a)(2) through 218.123(a)(6) of this Part;
- 2) Of welded construction equipped with a metallic type shoe seal having a secondary seal from the top of the shoe seal to the tank wall (shoe-mounted secondary seal);
- 3) Of welded construction equipped with a metallic type shoe seal, a liquid-mounted foam seal, a liquid-mounted liquid-filled-type seal, or other closure device of equivalent control efficiency approved by the Agency in which a petroleum liquid with a true vapor pressure less than 27.6 kPa (4.0 psia) at 294.3°K (70° F) is stored; or
- 4) Used to store crude oil with a pour point of 50°F or higher as determined by ASTM Standard D97-66 incorporated by reference in Section 218.112 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.125 Compliance Dates (Repealed)

~~Every owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart B, as of December 31, 1987 shall have complied with its standards and limitations by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## Section 218.126 Compliance Plan (Repealed)

- a) ~~The owner or operator of an emission source previously subject to Section 215.125 shall have submitted to the Agency a compliance plan as required by 35 Ill. Adm. Code 201.241, including a project completion schedule where applicable, no later than April 21, 1987.~~
- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source subject to the rules specified in subsection (a) may operate the emission source according to the plan and schedule as submitted.~~
- c) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201.241 including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993.)

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

## Section 218.141 Separation Operations

- a) No person shall use any single or multiple compartment effluent water separator which receives effluent water containing 757 l/day (200 gal/day) or more of organic material from any equipment processing, refining, treating, storing or handling organic material unless such effluent water separator is equipped with air pollution control equipment capable of reducing by 85 percent or more the uncontrolled organic material emitted to the atmosphere. Exception: If no odor nuisance exists the limitations of this subsection shall not apply if the vapor pressure of the organic material is below 17.24 kPa (2.5 psia) at 294.3°K (70°F).

- b) Subsection (a) of this Section shall not apply to water and crude oil separation in the production of Illinois crude oil, if the vapor pressure of such crude oil is less than 34.5 kPa (5 psia).

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## Section 218.143 Vapor Blowdown

No person shall cause or allow the emission of organic material into the atmosphere from any vapor blowdown system or any safety relief valve, except such safety relief valves not capable of causing an excessive release, unless such emission is controlled:

- a) To 10 ppm equivalent methane (molecular weight 16.0) or less; or,
- b) By combustion in a smokeless flare; or,
- c) By other air pollution control equipment approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 218.108 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.144 Safety Relief Valves

Section 218.143 of this Part shall not apply to any set of unregulated safety relief valves capable of causing excessive releases, provided the owner or operator thereof, by October 1, 1972, supplied the Agency with the following:

- a) A historical record of each such set (or, if such records were unavailable, of similar sets which, by virtue of operation under similar circumstances, may reasonably have been presumed to have the same or greater frequency of excessive releases) for a three-year period immediately preceding October 1, 1972, indicating:
  - 1) Dates on which excessive releases occurred from each such set; and
  - 2) Duration in minutes of each such excessive release; and
  - 3) Quantities (in pounds) of mercaptans and/or hydrogen sulfide emitted into the atmosphere during each such excessive release.
- b) Proof, using such three-year historical records, that no excessive release is likely to occur from any such

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set either alone or in combination with such excessive releases from other sets owned or operated by the same person and located within a ten-mile radius from the center point of any such set, more frequently than 3 times in any 12 month period;

- c) Accurate maintenance records pursuant to the requirements of subsection (a) of this Section; and,
- d) Proof, at three-year intervals, using such three-year historical records, that such set conforms to the requirements of subsection (c) of this Section.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART E: SOLVENT CLEANING

## Section 218.181 Solvent Cleaning in General

The requirements of this Subpart shall apply to all cold cleaning, open top vapor degreasing, and conveyORIZED degreasing operations which use volatile organic materials.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.182 Cold Cleaning

- a) Operating Procedures: No person shall operate a cold cleaning degreaser unless:
  - 1) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
  - 2) The cover of the degreaser is closed when parts are not being handled; and
  - 3) Parts are drained until dripping ceases.
- b) Equipment Requirements: No person shall operate a cold cleaning degreaser unless:
  - 1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the



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cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:

- A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F);
- B) The solvent is agitated; or
- C) The solvent is heated above ambient room temperature.

- 2) The degreaser is equipped with a facility device for draining cleaned parts. The drainage facility device shall be constructed so that parts are enclosed under the cover while draining unless:

- A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C (100°F); or
- B) An internal drainage facility device cannot be fitted into the cleaning system, in which case the drainage facility device may be external.

- 3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C (100°F) or if the solvent is heated above 50°C (120°F) or its boiling point:

- A) A freeboard height of 7/10 of the inside width of the tank or 91 cm (36 in), whichever is less; or
- B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 218.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.

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- 4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

- 5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.183 Open Top Vapor Degreasing

- a) Operating Requirements: No person shall operate an open top vapor degreaser unless:

- 1) The cover of the degreaser is closed when workloads are not being processed through the degreaser;

- 2) Solvent carryout emissions are minimized by:

- A) Racking parts to allow complete drainage;
  - B) Moving parts in and out of the degreaser at less than 3.3 m/min (11 ft/min);
  - C) Holding the parts in the vapor zone until condensation ceases;
  - D) Tipping out any pools of solvent on the cleaned parts before removal from the vapor zone; and
  - E) Allowing parts to dry within the degreaser until visually dry.
- 3) Porous or absorbent materials, such as cloth, leather, wood or rope are not degreased;
  - 4) Less than half of the degreaser's open top area is occupied with a workload;
  - 5) The degreaser is not loaded to the point where the vapor level would drop more than 10 cm (4 in) when the workload is removed from the vapor zone;

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- 6) Spraying is done below the vapor level only;
- 7) Solvent leaks are repaired immediately;
- 8) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
- 9) Water is not visually detectable in solvent exiting from the water separator; and
- 10) Exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser open area is not used, unless necessary to meet the requirements of the Occupational Safety and Health Act (29 U.S.C. Section 651 et seq.).

b) Equipment Requirements: No person shall operate an open top vapor degreaser unless:

- 1) The degreaser is equipped with a cover designed to open and close easily without disturbing the vapor zone;
- 2) The degreaser is equipped with the following switches:
  - A) ~~A device~~One which shuts off the sump heat ~~source~~ if the amount of condenser coolant is not sufficient to maintain the designed vapor level; and
  - B) ~~A device~~One which shuts off the spray pump if the vapor level drops more than 10 cm (4 in) below the bottom condenser coil; and
  - C) ~~A device~~One which shuts off the sump heat source when the vapor level exceeds the design level.
- 3) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser;
- 4) The degreaser is equipped with one of the following devices:

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- A) A freeboard height of 3/4 of the inside width of the degreaser tank or 91 cm (36 in), whichever is less; and if the degreaser opening is greater than 1 square meter (10.8 square feet), a powered or mechanically assisted cover; or
- B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 218.108 of this Part. Such equipment or system may include a refrigerated chiller, an enclosed design or a carbon adsorption system.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.184 ConveyORIZED Degreasing

a) Operating Requirements: No person shall operate a conveyORIZED degreaser unless:

- 1) Exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of area of loading and unloading opening is not used, unless necessary to meet the requirements of the Occupational Safety and Health Act (29 U.S.C. Section 651 et seq.);
- 2) Solvent carryout emissions are minimized by:
  - A) Racking parts for best drainage; and
  - B) Maintaining the vertical conveyor speed at less than 3.3 m/min (11 ft/min);
- 3) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
- 4) Solvent leaks are repaired immediately;
- 5) Water is not visually detectable in solvent exiting from the water separator; and

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- 6) Downtime covers are placed over entrances and exits of conveyORIZED degreasers immediately after the conveyors and exhausts are shut down and not removed until just before start-up.
- b) Equipment Requirements: No person shall operate a conveyORIZED degreaser unless:
- 1) The degreaser is equipped with a drying tunnel, rotating (tumbling) basket or other equipment sufficient to prevent cleaned parts from carrying out solvent liquid or vapor;
  - 2) The degreaser is equipped with the following switches:
    - A) A device~~One~~ which shuts off the sump heat source if the amount of condenser coolant is not sufficient to maintain the designed vapor level;
    - B) A device~~One~~ which shuts off the spray pump or the conveyor if the vapor level drops more than 10 cm (4 in) below the bottom condenser coil; and
    - C) A device~~One~~ which shuts off the sump heat source when the vapor level exceeds the design level~~±~~.
  - 3) The degreaser is equipped with openings for entrances and exits that silhouette workloads so that the average clearance between the parts and the edge of the degreaser opening is less than 10 cm (4 in) or less than 10 percent of the width of the opening;
  - 4) The degreaser is equipped with downtime covers for closing off entrances and exits when the degreaser is shut down; and

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- 5) The degreaser is equipped with one of the following control devices, if the air/vapor interface is larger than 2.0 square meters (21.6 square feet):
- A) A carbon adsorption system with ventilation greater than or equal to 15 cubic meters per minute per square meter (50 cubic feet per minute per square foot) of air/vapor area when downtime covers are open, and exhausting less than 25 ppm of solvent by volume averaged over a complete adsorption cycle; or
  - B) Any other equipment or system of equivalent emission control as approved by the Agency, and further processed consistent with Section 218.108 of this Part. Such equipment or system may include a refrigerated chiller.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993 )

## Section 218.185 Compliance Schedule (Repealed)

~~Every owner or operator of an emission source which was previously exempt from the requirements of Subpart E of 35 Ill. Adm. Code 215 (Sections 215.182-215.184) because it satisfied the criteria in either 35 Ill. Adm. Code 215.181(a) or 35 Ill. Adm. Code 215.181(b), shall comply with the requirements of this Subpart on and after a date consistent with Section 218.106. A source which did not satisfy the criteria in either 35 Ill. Adm. Code 215.181(a) or 35 Ill. Adm. Code 215.181(b) shall comply with the requirements of this Subpart upon adoption.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993 )



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## Section 218.186

## Test Methods

The following test methods shall be used to demonstrate compliance with this Subpart:

- a) Vapor pressures shall be determined by using the procedure specified in Section 218.110 of this Part.
- b) Exhaust ventilation rates shall be determined by using the procedures specified in Section 218.105(f)(3) of this Part.
- c) The performance of control devices shall be determined by using the procedures specified in Section 218.105(f) of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## SUBPART F: COATING OPERATIONS

## Section 218.204 Emission Limitations for Manufacturing Plants

Except as provided in Sections 218.205, 218.207 and 218.208 of this Part, no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the following emission limitations for the specified coating. The following emission limitations are expressed in units of VOM per volume of coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied at each coating applicator, except where noted. Compounds which are specifically exempted from the definition of VOM should be treated as water for the purpose of calculating the "less water" part of the coating composition. Compliance with this Subpart must be demonstrated through the applicable coating analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.211(c) of this Part except where noted. (Note: The equation presented in Section 218.206 of this Part shall be used to calculate emission limitations for determining compliance by add-on controls, credits for transfer efficiency, emissions trades and cross-line averaging.) The emission limitations are as follows:

a) Automobile or Light-Duty kg/l lb/gal

## Truck Coating

- 1) Prime coat 0.14 (1.2)
- 2) Primer surfacer coat 0-341.81 (2-815.1)

(Note: The primer surfacer coat limitation is based upon a transfer efficiency of 30 percent. The use of transfer efficiency credits can be allowed only if approved by the Agency and approved by the USEPA as a SIP revision in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire primer surfacer operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 218.105(b) and the recordkeeping and reporting requirements specified in Section 218.211(f). Testing to

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demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 218.205 does not apply to the primer surfacer limitation.)

3) Topcoat kg/l 1.81 lb/gal (15.1)

(Note: The topcoat limitation is in units of kg (lbs) of VOM per 1 (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average VOM content from the entire topcoat operation (all topcoat spray booths, flash-off areas and bake ovens). Compliance shall be demonstrated in accordance with the topcoat protocol for automobiles and light-duty trucks referenced in Section 218.105(b) of this Part and the recordkeeping and reporting requirements specified in Section 218.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and Section 218.205 does not apply to the topcoat limitation.) At least 180 days prior to the initial compliance date, the owner or operator of a coating line subject to the topcoat limitation shall have submitted to the USEPA a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. The proposal shall have included, at a minimum, a comprehensive plan (including a rationale) for determining the transfer efficiency at each booth through the use of in-plant, or pilot testing, the selection of coatings to be tested (for the purpose of determining transfer efficiency) including the rationale for coating groupings, and the method for determining the analytic VOM content of as applied coatings and the formulation solvent content of as applied coatings. Upon approval of the protocol by the USEPA, the source may proceed with the compliance demonstration. Section 218.205 of this Part does not apply to the topcoat limitation.)

kg/l 1.81 lb/gal

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4) Final repair coat 0.58 (4.8)

b) Can Coating kg/l lb/gal

1) Sheet basecoat and overvarnish 0.34 (2.8)

2) Exterior basecoat and overvarnish 0.34 (2.8)

3) Interior body spray coat 0.51 (4.2)

4) Exterior end coat 0.51 (4.2)

5) Side seam spray coat 0.66 (5.5)

6) End sealing compound coat 0.44 (3.7)

c) Paper Coating kg/l lb/gal  
0.35 (2.9)

(Note: The paper coating limitation shall not apply to any owner or operator of any paper coating line on which printing is performed if the paper coating line complies with the emissions limitations in Subpart H: Printing and Publishing, Sections 218.401 of this Part through 218.404.)

d) Coil Coating kg/l lb/gal  
0.31 (2.6)

e) Fabric Coating 0.35 (2.9)

f) Vinyl Coating 0.45 (3.8)

g) Metal Furniture Coating 0.36 (3.0)

h) Large Appliance Coating 0.34 (2.8)

(Note: The limitation shall not apply to the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed 0.95 l (1 quart) in any one rolling eight-hour period.)

i) Magnet Wire Coating kg/l lb/gal  
0.20 (1.7)

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- j) Miscellaneous Metal Parts and Products Coating
- |  |               |              |
|--|---------------|--------------|
| 1) Clear coating                               | 0.52          | (4.3)        |
| 2) Air-dried coating                           | 0.42          | (3.5)        |
| 3) Extreme performance coating                 | 0.42          | (3.5)        |
| 4) <u>Steel pail and drum interior coating</u> | <u>(0.52)</u> | <u>(4.3)</u> |
| 45) All other coatings                         | 0.36          | (3.0)        |
- k) Heavy Off-Highway Vehicle Products Coating
- |  |      |       |
|--|------|-------|
| 1) Extreme performance prime coat  | 0.42 | (3.5) |
| 2) Extreme performance top-coat (air dried)  | 0.42 | (3.5) |
| 3) Final repair coat (air dried)   | 0.42 | (3.5) |
| 4) All other coatings are subject to the emission limitations for miscellaneous metal parts and products coatings in subsection (j) above. |      |       |
- l) Wood Furniture Coating
- |                           |      |        |
|---------------------------|------|--------|
| 1) Clear topcoat          | kg/l | lb/gal |
| 2) Opaque stain           | 0.67 | (5.6)  |
| 3) Pigmented coat         | 0.56 | (4.7)  |
| 4) Repair coat            | 0.60 | (5.0)  |
| 5) Sealer                 | 0.67 | (5.6)  |
| 6) Semi-transparent stain | 0.79 | (6.6)  |
| 7) Wash coat              | 0.73 | (6.1)  |

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(Note: An owner or operator of a wood furniture coating operation subject to this Section shall apply all coatings, with the exception of no more than 37.8 l (10 gal) of coating per day used for touch-up and repair operations, using one or more of the following application systems: airless spray application system, air-assisted airless spray application system, electrostatic spray application system, electrostatic bell or disc spray application system, heated airless spray application system, roller coating, brush or wipe coating application system, ~~ex~~ dip coating application system or high volume low pressure (HVLP) application system.)

- m) Existing Diesel-Electric Locomotive Coating Lines in Cook County

	kg/l	lb/gal
1) Extreme performance prime coat	0.42	(3.5)
2) Extreme performance top-coat (air dried)	0.42	(3.5)
3) Final repair coat (air dried)	0.42	(3.5)
4) High-temperature aluminum coating	0.72	(6.0)
5) All other coatings	0.36	(3.0)

(Source: Amended at 17 Ill. Reg. 1.6636, effective September 27, 1993)

## Section 218.205 Daily-Weighted Average Limitations

No owner or operator of a coating line subject to the limitations of Section 218.204 of this Part and complying by means of this Section shall operate the subject coating line unless the owner or operator has demonstrated compliance with subsection (a), (b), (c), (d), (e) or (f) of this Section (depending upon the source category of coating) through the applicable coating analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified



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in Section 218.211(d) of this Part:

- a) No owner or operator of a coating line subject to only one of the limitations from among Section 218.204(a)(1), ~~(a)(2)~~, (a)(4), (c), (d), (e), (f), (g), (h), or (i) of this Part shall apply coatings on any such coating line, during any day, whose daily-weighted average VOM content exceeds the emission limitation to which the coatings are subject.
- b) No owner or operator of a miscellaneous metal parts and products coating line subject to the limitations of Section 218.204(j) of this Part shall apply coatings to miscellaneous metal parts or products on the subject coating line unless the requirements in subsection (b)(1) or (b)(2) below are met.

1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 218.204(j) during the same day (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

2) For each coating line which applies coatings subject to more than one numerical emission ~~limitation from more than one of the four coating categories in Section 218.204(j) above, during the same day, the owner or operator shall have a site-specific proposal approved by the Agency and receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986), must be satisfied.~~

c) No owner or operator of a can coating facility line subject to the limitations of Section 215218.204(b) of this Part shall operate the subject coating facility line using a coating with a VOM content in excess of the limitations specified in Section 215218.204(b) of this Part unless all of the following requirements are met:

- 1) An alternative daily emission limitation shall be

determined for the can coating operation, i.e. for all of the can coating lines at the source, according to subsection (c)(2) below. Actual daily emissions shall never exceed the alternative daily emission limitation and shall be calculated by use of the following equation.

$$E_d = \sum_{i=1}^n V_i C_i$$

where:

$E_d$  = Actual VOM emissions for the day in units of kg/day (lbs/day)<sub>7i</sub>

$i$  = Subscript denoting a specific coating applied<sub>7i</sub>

$n$  = Total number of coatings applied in the can coating operation, i.e. all can coating lines at the source;

$V_i$  = Volume of each coating applied for the day in units of l/day (gal/day) of coating (minus water and any compounds which are specifically exempted from the definition of VOM)<sub>7i</sub>

$C_i$  = The VOM content of each coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM).

- 2) The alternative daily emission limitation ( $A_d$ ) shall be determined for the can coating operation, i.e. for all of the can coating lines at the source, on a daily basis as follows:

$$A_d = \sum_{i=1}^n V_i L_i \frac{D_i - C_i}{D_i - L_i}$$

where:

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$A_d$  = The VOM emissions allowed for the day in units of kg/day (lbs/day)/ $\tau_i$

$i$  = Subscript denoting a specific coating applied/ $\tau_i$

$n$  = Total number of surface coatings applied in the can coating operation/ $\tau_i$

$C_i$  = The VOM content of each surface coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM)/ $\tau_i$

$D_i$  = The density of VOM in each coating applied. For the purposes of calculating  $\phi A_d$ , the density is 0.882 kg VOM/l VOM (7.36 lbs VOM/gal VOM)/ $\tau_i$

$V_i$  = Volume of each surface coating applied for the day in units of l (gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM)/ $\tau_i$

$L_i$  = The VOM emission limitation for each surface coating applied as specified in Section 218.204(b) of this Part in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM).

d) No owner or operator of a heavy off-highway vehicle products coating line subject to the limitations of Section 218.204(k) of this Part shall apply coatings to heavy off-highway vehicle products on the subject coating line unless the requirements of subsection (d)(1) or (d)(2) below are met.

1) For each coating line which applies multiple

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coatings, all of which are subject to the same numerical emission limitation within Section 218.204(k) above, during the same day (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

2) For each coating line which applies coatings subject to more than one numerical emission limitation in Section 218.204(k) above, during the same day, the owner or operator shall have a site specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986), must be satisfied.

e) No owner or operator of a wood furniture coating line subject to the limitations of Section 218.204(l) of this Part shall apply coatings to wood furniture on the subject coating line unless the requirements of subsection (e)(1) or subsection (e)(2) below, in addition to the requirements specified in the note to Section 218.204(l) of this Part, are met.

1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 218.204(l) above, during the same day (e.g., all coatings used on the line are subject to 0.67 kg/l [5.6 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

2) For each coating line which applies coatings subject to more than one numerical emission limitation in Section 218.204(l) above, during the same day, the owner or operator shall have a site specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986),

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must be satisfied.

- f) No owner or operator of an existing diesel-electric locomotive coating line in Cook County, subject to the limitations of Section 218.204(m) of this Part shall apply coatings to diesel-electric locomotives on the subject coating line unless the requirements of subsection (b)-(1)(f)(1) or (b)-(2)(f)(2) of this Section are met.

- 1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 218.204(m) above, during the same day (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

- 2) For each coating line which applies coatings subject to more than one numerical emission limitation in Section 218.204(m) above, during the same day, the owner or operator shall have a site specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) must be satisfied.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.206 Solids Basis Calculation

Limitations in terms of kg (lbs) of VOM emissions per 1 (gal) of solids as applied at each coating applicator shall be determined by the following equation:

$$S = \frac{C}{1 - (C/D)}$$

where:

S = The limitation on VOM emissions in terms of kg VOM/l (lbs VOM/gal) of solids;

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C = The limitation on VOM emissions in terms of kg/l (lbs/gal) of coating (minus water and any compounds which are specifically excluded from the definition of VOM) specified in Section 218.204 of this Part;

D = The density of VOM in the coating. For the purposes of calculating S, the density is 0.882 kg VOM/l VOM (7.36 lbs VOM/gal VOM).

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.207 Alternative Emission Limitations

- a) Any owner or operator of a coating line subject to Section 218.204 of this Part may comply with this Section, rather than with Section 218.204 of this Part, if a capture system and control device are operated at all times the coating line is in operation and the owner or operator demonstrates compliance with subsections (c), (d), (e), (f), (g) or (h) of this Section (depending upon the source category) through the applicable coating analysis and capture system and control device efficiency test methods and procedures specified in Section 218.105 of this Part and the recordkeeping and reporting requirements specified in Section 218.211(e) of this Part; and the control device is equipped with the applicable monitoring equipment specified in Section 218.105(d) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in use. A capture system and control device, which does not demonstrate compliance with subsection (c), (d), (e), (f), (g) or (h) of this Section may be used as an alternative to compliance with Section 218.204 of this Part only if the alternative is approved by the Agency and approved by the USEPA as a SIP revision.

b) Alternative Add-On Control Methodologies

- 1) The coating line is equipped with a capture system and control device that provides 81 percent reduction in the overall emissions of VOM from the coating line and the control device has a 90 percent efficiency, or



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- 2) The system used to control VOM from the coating line is demonstrated to have an overall efficiency sufficient to limit VOM emissions to no more than what is allowed under Section 218.204 of this Part. Use of any control system other than an afterburner, carbon adsorption, condensation, or absorption scrubber system can be allowed only if approved by the Agency and approved by the USEPA as a SIP revision. The use of transfer efficiency credits can be allowed only if approved by the Agency and approved by the USEPA as a SIP revision. Baseline transfer efficiencies and transfer efficiency test methods must be approved by the Agency and the USEPA.

Such overall efficiency is to be determined as follows:

- A) ~~e~~Obtain the emission limitation from the appropriate subsection in Section 218.204 of this Part~~71~~.
- B) ~~e~~Calculate "S" according to the equation in Section 218.206 of this Part~~71~~.
- C) ~~e~~Calculate the overall efficiency required according to Section 218.105(e) of this Part. For the purposes of calculating this value, according to the equation in Section 218.105(e)(2) of this Part, VOM<sub>i</sub> is equal to the value of "S" as determined above in subsection (b)(2)(B) of this Section.

- c) No owner or operator of a coating line subject to only one of the emission limitations from among Section 218.204(a)(1), ~~(a)(2)~~ (a)(4), (c), (d), (e), (f), (g), (h) or (i) of this Part and equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met. No owner or operator of a coating line subject to Section 218.204(a)(2) or 218.204(a)(3) and equipped with a capture system and control device shall operate the coating line unless the owner or operator demonstrates compliance with the ~~tepestat~~ such limitation in accordance with the topcoat protocol ~~for automobile or light-duty trucks~~ referenced in Section 218.105(b).

- d) No owner or operator of a miscellaneous metal parts and products coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 218.204(j) of this Part (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met.

- e) No owner or operator of a heavy off-highway vehicle products coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 218.204(k) of this Part (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met.

- f) No owner or operator of an existing diesel-electric locomotive coating line in Cook County which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 218.204(m) of this Part (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met.

- g) No owner or operator of a wood furniture coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 218.204(l) of this Part (e.g., all coatings used on the line are subject to 0.67 kg/l [5.6 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) of this Section are met. If compliance is achieved by meeting the requirements in subsection (b)(2) of this Part, then the provisions in the note to Section 218.204(l) of this Part must also be met.

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- h) No owner or operator of a can coating facility line and which is equipped with a capture system and control device shall operate the subject coating facility line unless the requirements in subsection (h)(1) or (h)(2) below are met.

- 1) An alternative daily emission limitation shall be determined for the can coating operation, i.e. for all of the can coating lines at the source, according to Section 218.205(c)(2) of this Part. Actual daily emissions shall never exceed the alternative daily emission limitation and shall be calculated by use of the following equation:

$$E_d = \sum_{i=1}^n V_i C_i (1-F_i)$$

where:

- $E_d$  = Actual VOM emissions for the day in units of kg/day (lbs/day)<sub>7i</sub>
- $i$  = Subscript denoting the specific coating applied<sub>7i</sub>
- $n$  = Total number of surface coatings as applied in the can coating operation<sub>7i</sub>
- $V_i$  = Volume of each coating as applied for the day in units of l/day (gal/day) of coating (minus water and any compounds which are specifically exempted from the definition of VOM)<sub>7i</sub>
- $C_i$  = The VOM content of each coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM) and
- $F_i$  = Fraction, by weight, of VOM emissions from the surface coating, reduced or prevented from being

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- 2) The coating line is equipped with a capture system and control device that provide 75 percent reduction in the overall emissions of VOM from the coating line and the control device has a 90 percent efficiency.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.208 Exemptions From Emission Limitations

- a) Exemptions for all sewerecoating categories except wood furniture coating. The limitations of this Subpart shall not apply to coating lines within a facility source, that otherwise would be subject to the same subsection of Section 218.204 (because they belong to the same sewerecoating category, e.g. can coating) provided that combined actual emissions of VOM from all lines at the facilitysource subject to that subsection never exceed 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices. (For example, can coating lines within a plantsource would not be subject to the limitations of Section 218.204(b) of this Part if the combined actual emissions of VOM from the can coating lines never exceed 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices.) Volatile organic material emissions from heavy off-highway vehicle products coating lines must be combined with VOM emissions from miscellaneous metal parts and products coating lines to determine applicability. Any owner or operator of a coating facilitysource shall comply with the applicable coating analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.211(a) of this Part if total VOM emissions from the subject coating lines are always less than or equal to 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices and, therefore, are not subject to the limitations of Section 218.204 of this Part. Once a category of coating lines at a facilitysource is subject to the limitations in Section 218.204, of this



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Part the coating lines are always subject to the limitations in Section 218.204 of this Part.

## b) Applicability for wood furniture coating

- 1) The limitations of this Subpart shall apply to a plant-source's wood furniture coating lines if the plant-source contains process emission-sources units, not regulated by Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405), Q, R, S, T (excluding Section 218.486 of this Part), V, X, Y, or Z or BB of this Part, which as a group both:

- A) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- B) Are not limited to less than 91 Mg (100 tons) of VOM per calendar year if no air pollution control equipment were used, through production or capacity limitations contained in a federally enforceable construction-permit or SIP revision.

- 2) If a plant-source ceases to fulfill the criteria of subsection (b) (1) of this Section, the limitations of Section 218.204(1) of this Part shall continue to apply to any wood furniture coating line which was ever subject to the limitations of Section 218.204(1) of this Part.

- 3) For the purposes of subsection (b) of this Section, an emission source-unit shall be considered regulated by a Subpart if it is subject to the limitations of that Subpart. An emission source-unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

- 4) Any owner or operator of a wood furniture coating line to which the limitations of this Subpart are

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not applicable due to the criteria in subsection (b) of this Section shall, upon request by the Agency or the USEPA, submit records to the Agency and the USEPA within 30 calendar days from the date of the request that document that the coating line is exempt from the limitations of this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.209 Exemption From General Rule on Use of Organic Material

No owner or operator of a coating line subject to the limitations of Section 218.204 of this Part is required to meet the limitations of Subpart G (Section 218.301 or 218.302) of this Part, after the date by which the coating line is required to meet Section 218.204 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.210 Compliance Schedule

Every owner or operator of a coating line (of a type included within Section 218.204) of this Part shall comply with the requirements of Section 218.204, 218.205, 218.207 or 218.208 and Section 218.211 of this Part in accordance with the appropriate compliance schedule as specified in subsection (a), (b), (c) or (d) below:

- a) No owner or operator of a coating line which is exempt from the limitations of Section 218.204 of this Part because of the criteria in Section 218.208(a) of this Part shall operate said coating line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 218.211(b) of this Part. Wood furniture coating lines are not subject to Section 218.211(b) of this Part.
- b) No owner or operator of a coating line complying by means of Section 218.204 of this Part shall operate said coating line on or after a date consistent with Section 218.106 of this Part, unless the owner or



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operator has complied with, and continues to comply with, Sections 218.204 and 218.211(c) of this Part.

- c) No owner or operator of a coating line complying by means of Section 218.205 of this Part shall operate said coating line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 218.205 and 218.211(d) of this Part.

- d) No owner or operator of a coating line complying by means of Section 218.207 of this Part shall operate said coating line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 218.207 and 218.211(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

## Section 218.211 Recordkeeping and Reporting

- a) The VOM content of each coating and the efficiency of each capture system and control device shall be determined by the applicable test methods and procedures specified in Section 218.105 of this Part to establish the records required under this Section.

- b) Any owner or operator of a coating line which is exempted from the limitations of Section 218.204 of this Part because of Section 218.208(a) of this Part shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, the owner or operator of a facility coating line or a group of coating lines referenced in this subsection(b) of this Section shall certify to the Agency that the facility coating line or group of coating lines is exempt under the provisions of Section 218.108(a) of this Part. Such certification shall include:

- A) A declaration that the facility coating line or group of coating lines is exempt from the limitations of Section 218.204 of this Part because of Section 218.208(a) of this Part; and

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- B) Calculations which demonstrate that the combined VOM emissions from all the coating lines at the facility or group of coating lines never exceed 6.8 kg (15 lbs) per day before the application of capture systems and control devices. The following equation shall be used to calculate total VOM emissions:

$$T_e = \sum_{j=1}^m \sum_{i=1}^n (A_i B_i)_{ji}$$

where:

$T_e$  = Total VOM emissions from coating lines at a facility each day before the application of capture systems and control devices in units of kg/day (lbs/day)  $T_i$

$m$  = Number of coating lines at the facility source that otherwise would be subject to the same subsection of Section 218.104 of this Part (because they belong to the same category, e.g., can coating)  $T_i$

$j$  = Subscript denoting an individual coating line  $T_i$

$n$  = Number of different coatings as applied each day on each coating line at the facility  $T_i$

$i$  = Subscript denoting an individual coating  $T_i$

$A_i$  = Weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line at the facility in units of kg VOM/l (lbs VOM/gal); and

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B<sub>1</sub> = Volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line at the facility in units of l/day (gal/day). The instrument or method by which the owner or operator accurately measured or calculated the volume of each coating as applied on each coating line each day shall be described in the certification to the Agency.

2) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a facility coating line or group of coating lines referenced in this subsection shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.

3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a facility coating line or group of coating lines exempted from the limitations of Section 218.204 of this Part because of Section 218.208(a) of this Part shall notify the Agency of any record showing that total VOM emissions from the coating facility line or group of coating lines exceed 6.8 kg (15 lbs) in any day before the application of capture systems and control devices by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

c) Any owner or operator of a coating line subject to the limitations of Section 218.204 of this Part other than Section 218.204(a)(2) or (a)(3) and complying by means

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of Section 218.204 of this Part shall comply with the following:

1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance from an existing subject coating line from Section 218.205 or Section 218.207 of this Part to Section 218.204 of this Part, the owner or operator of a subject coating line shall certify to the Agency that the coating line will be in compliance with Section 218.204 of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.

e) ~~For coating lines subject to Section 218.204(a)(3) certification shall include:~~

- i) ~~The name and identification number of each coating 218.204(a)(3)7~~
- ii) ~~The name and identification number of each coating as applied on each coating line,~~
- iii) ~~The weight of VOM per volume of each coating as applied on each coating line,~~
- iv) ~~The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line,~~
- v) ~~The method by which the owner or operator will create and maintain records each day as required in~~

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~~subsection (c)(2) below for coating lines subject to Section 218.204(a)(3).~~

~~vi) An example format in which the records required in subsection (c)(2) below for coating lines subject to Section 218.204(a)(3).~~

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line subject to the limitations of Section 218.204 and complying by means of Section 218.204 shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- C) ~~For coating lines subject to Section 218.204(a)(3) the owner or operator shall maintain all records necessary to calculate the daily weighted average VOM content from the coating line in accordance with the proposal submitted, and proved by the USEPA, pursuant to Section 218.204(a)(3).~~

- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:

- A) Any record showing violation of Section 218.204 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation, except that any record showing a violation of Section 218.204(a)(3) shall be reported by sending a copy of such record to

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~~the Agency within 15 days from the end of the month in which the violation occurred.~~

- B) At least 30 calendar days before changing the method of compliance with Section 218.204 from Section 218.204 of this Part to Section 218.205 or Section 218.207 of this Part, the owner or operator shall comply with all requirements of subsection (d)(1) or (e)(1) of this Section below, respectively. Upon changing the method of compliance with Section 218.204 from Section 218.204 of this Part to Section 218.205 of this Part or Section 218.207 of this Part, the owner or operator shall comply with all requirements of subsection (d) or (e) of this Section, respectively.

- C) ~~For coating lines subject to Section 218.204(a)(3) the owner or operator shall notify the Agency of any change to the re-coating operation at least 30 days before the change is effected. The Agency shall determine whether or not recertification testing is required. If the Agency determines that recertification testing is required, then the owner or operator shall submit a proposal to the Agency to test within 30 days and retest within 30 days of the Agency's approval of the proposal.~~

- d) Any owner or operator of a coating line subject to the limitations of Section 218.204 of this Part and complying by means of Section 218.205 of this Part shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance for an existing subject coating line from Section 218.204 or Section 218.207 of this Part to Section 218.205 of this Part, the owner or operator of the subject coating line shall certify to the Agency that the coating line will be in compliance with Section 218.205 of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such



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certification shall include:

- A) The name and identification number of each coating line which will comply by means of Section 218.205 of this Part.
- B) The name and identification number of each coating as applied on each coating line.
- C) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.
- E) The method by which the owner or operator will create and maintain records each day as required in subsection (d)(2) of this Section.
- F) An example of the format in which the records required in subsection (d)(2) of this Section will be kept.

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line subject to the limitations of Section 218.204 and complying by means of Section 218.205 shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.

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- C) The daily-weighted average VOM content of all coatings as applied on each coating line as defined in Section 218.104 of this Part.

- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:

- A) Any record showing violation of Section 218.205 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- B) At least 30 calendar days before changing the method of compliance with this subpart from Section 218.205 of this Part to Section 218.204 or Section 218.207 of this Part, the owner or operator shall comply with all requirements of subsection (c)(1) or (e)(1) of this Section, respectively. Upon changing the method of compliance with this subpart from Section 218.205 to Section 218.204 or Section 218.207 of this Part, the owner or operator shall comply with all requirements of subsection (c) or (e) of this Section, respectively.

- e) Any owner or operator of a coating line subject to the limitations of Section 218.207 of this Part and complying by means of Section 218.207(c), (d), (e), (f), (g) or (h) of this Part shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance for an existing coating line from Section 218.204 or Section 218.205 of this Part to Section 218.207 of this Part, the owner or operator of the subject coating line shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject coating line will be in compliance with Section 218.207 of this Part on and after a date consistent with Section 218.106 of this Part, or

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on and after the initial start-up date.

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line subject to the limitations of Section 218.207 and complying by means of Section 218.207(e), (d), (e), (f), (g), or (h) shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:
  - A) The weight of VOM per volume of coating solids as applied each day on each coating line, if complying pursuant to Section 218.207(b)(2) of this Part.
  - B) Control device monitoring data.
  - C) A log of operating time for the capture system, control device, monitoring equipment and the associated coating line.
  - D) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.
- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:
  - A) Any record showing violation of Section 218.207 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
  - B) At least 30 calendar days before changing the method of compliance with this Subpart from Section 218.207 of this Part to Section 218.204 or Section 218.205 of this Part, the owner or operator shall comply with all requirements of subsection (c)(1) or (d)(1)

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of this Section, respectively. Upon changing the method of compliance with this subpart from Section 218.207 of this Part to Section 218.204 or Section 218.205 of this Part, the owner or operator shall comply with all requirements of subsection (c) or (d) of this Section, respectively.

- f) Any owner or operator of a primer surfacer operation or topcoat operation subject to the limitations of Section 218.204(a)(2) or (a)(3) of this Part shall comply with the following:
  - 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new coating operation, the owner or operator of a subject coating operation shall certify to the Agency that the operation will be in compliance with Section 218.204 of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such certification shall include:
    - A) The name and identification number of each coating operation which will comply by means of Section 218.204(a)(2) and (a)(3) of this Part and the name and identification number of each coating line in each coating operation.
    - B) The name and identification number of each coating as applied on each coating line in the coating operation.
    - C) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
    - D) The transfer efficiency and control efficiency measured for each coating line.
    - E) Test reports, including raw data and calculations documenting the testing performed to measure transfer efficiency and control efficiency.



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- F) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.
- G) The method by which the owner or operator will create and maintain records each day as required in subsection (f)(2) below.
- H) An example format for presenting the records required in subsection (f)(2) below.
- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating operation shall collect and record all of the following information each day for each operation and maintain the information at the source for a period of three years:

A) All information necessary to calculate the daily-weighted average VOM emissions from the coating operations in kg (lbs) per 1 (gal) of coating solids deposited in accordance with the proposal submitted, and approved pursuant to Section 218.204(a)(2) or (a)(3) of this Part including:

- i) The name and identification number of each coating as applied on each coating operation.
- ii) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating operation.

B) If a control device(s) is used to control VOM emissions, control device monitoring data; a log of operating time for the capture system, control device, monitoring equipment and the associated coating operation; and a maintenance log for the capture system, control device and monitoring equipment, detailing all routine and non-routine maintenance performed including dates and

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duration of any outages.

3) On and after a date consistent with Section 218.106 of this Part or on and after the initial start-up date, the owner or operator of a subject coating operation shall determine and record the daily VOM emissions in kg (lbs) per 1 (gal) of coating solids deposited in accordance with the proposal submitted and approved pursuant to Section 218.204(a)(2) or (a)(3) of this Part within 10 days from the end of the month and maintain this information at the source for a period of three years.

4) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject coating operation shall notify the Agency in the following instances:

A) Any record showing a violation of Section 218.204(a)(2) or (a)(3) of this Part shall be reported by sending a copy of such record to the Agency within 15 days from the end of the month in which the violation occurred.

B) The owner or operator shall notify the Agency of any change to the operation at least 30 days before the change is effected. The Agency shall determine whether or not compliance testing is required. If the Agency determines that compliance testing is required, then the owner or operator shall submit a testing proposal to the Agency within 30 days and test within 30 days of the approval of the proposal by the Agency and USEPA.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART G: USE OF ORGANIC MATERIAL

Section 218.301 Use of Organic Material

No person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere from any emission sourceunit, except as provided in Sections 218.302,



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218.303, 218.304 of this Part and the following exception: If no odor nuisance exists the limitation of this Subpart shall apply only to photochemically reactive material.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.302 Alternative Standard

Emissions of organic material in excess of those permitted by Section 218.301 of this Part are allowable if such emissions are controlled by one of the following methods:

- a) Flame, thermal or catalytic incineration so as either to reduce such emissions to 10 ppm equivalent methane (molecular weight 16) or less, or to convert 85 percent of the hydrocarbons to carbon dioxide and water; or,
- b) A vapor recovery system which adsorbs and/or condenses at least 85 percent of the total uncontrolled organic material that would otherwise be emitted to the atmosphere; or,
- c) Any other air pollution control equipment approved by the Agency and approved by the USEPA as a SIP revision capable of reducing by 85 percent or more the uncontrolled organic material that would be otherwise emitted to the atmosphere.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.303 Fuel Combustion Emission Sources Units

The provisions of Sections 218.301 and 218.302 of this Part shall not apply to fuel combustion emission sources units.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.304 Operations with Compliance Program

The provisions of Sections 218.301 and 218.302 of this Part shall not apply to any owner, operator, user or manufacturer of paint, varnish, lacquer, coatings or printing ink whose compliance program and project completion schedule, as required by 35 Ill. Adm. Code 201, provided for the reduction of organic material

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used in such process to 20 percent or less of total volume by May 30, 1977.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART H: PRINTING AND PUBLISHING

## Section 218.401 Flexographic and Rotogravure Printing

- a) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line shall apply at any time any coating or ink unless the VOM content does not exceed the limitation specified in either subsection (a)(1) or (a)(2) below. Compliance with this Section must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.404(c) of this Part. As an alternative to compliance with this subsection, a subject printing line may meet the requirements of subsection (b) or (c) below.

- 1) Forty percent VOM by volume of the coating and ink (minus water and any compounds which are specifically exempted from the definition of VOM), or

- 2) Twenty-five percent VOM by volume of the volatile content in the coating and ink.

- b) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line shall apply coatings or inks on the subject printing line unless the weighted average, by volume, VOM content of all coatings and inks as applied each day on the subject printing line does not exceed the limitation specified in either subsection (a)(1) (as determined by subsection (b)(1)) or subsection (a)(2) (as determined by subsection (b)(2)). Compliance with this subsection must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.404(d) of this

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- 1) The following equation shall be used to determine if the weighted average VOM content of all coatings and inks as applied each day on the subject printing line exceeds the limitation specified in subsection (a)(1) of this Section.

$$VOM_{(0)(A)} = \frac{\sum_{i=1}^n C_i L_i (V_i + V_{VOMi})}{\sum_{i=1}^n L_i (V_i + V_{VOMi})}$$

## Where:

$VOM_{(0)(A)}$  = The weighted average VOM content in units of percent VOM by volume of all coatings and inks (minus water and any compounds which are specifically exempted from the definition of VOM) used each day $\tau_i$

$i$  = Subscript denoting a specific coating or ink as applied $\tau_i$

$n$  = The number of different coatings and/or inks as applied each day on a printing line $\tau_i$

$C_i$  = The VOM content in units of percent VOM by volume of each coating or ink as applied (minus water and any compounds which are specifically exempted from the definition of VOM)  $\tau_i$

$L_i$  = The liquid volume of each coating or ink as applied in units of l (gal) $\tau_i$

$V_i$  = The volume fraction of solids in each coating or ink as applied and

$V_{VOMi}$  = The volume fraction of VOM in each coating or ink as applied.

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- 2) The following equation shall be used to determine if the weighted average VOM content of all coatings and inks as applied each day on the subject printing line exceeds the limitation specified in subsection (a)(2) of this Section.

$$VOM_{(0)(B)} = \frac{\sum_{i=1}^n C_i L_i V_{VOMi}}{\sum_{i=1}^n L_i V_{VOMi}}$$

## where:

$VOM_{(0)(B)}$  = The weighted average VOM content in units of percent VOM by volume of the volatile content of all coatings and inks used each day $\tau_i$

$i$  = Subscript denoting a specific coating or ink as applied $\tau_i$

$n$  = The number of different coatings and/or inks as applied each day on each printing line $\tau_i$

$C_i$  = The VOM content in units of percent VOM by volume of the volatile matter in each coating or ink as applied $\tau_i$

$L_i$  = The liquid volume of each coating or ink as applied in units of l (gal) and

$V_{VOMi}$  = The volume fraction of volatile matter in each coating or ink as applied.

- c) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line equipped with a capture system and control device shall operate the subject printing line unless the owner or operator meets the requirements in subsection (c)(1), (c)(2), or (c)(3) and subsections (c)(4), (c)(5) and (c)(6) below.

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- 1) A carbon adsorption system is used which reduces the captured VOM emissions by at least 90 percent by weight, or
- 2) An incineration system is used which reduces the captured VOM emissions by at least 90 percent by weight, or
- 3) An alternative VOM emission reduction system is used which is demonstrated to have at least a 90 percent control device efficiency, approved by the Agency and approved by USEPA as a SIP revision, and
- 4) The printing line is equipped with a capture system and control device that provides an overall reduction in VOM emissions of at least:
  - A) 75 percent where a publication rotogravure printing line is employed, or
  - B) 65 percent where a packaging rotogravure printing line is employed, or
  - C) 60 percent where a flexographic printing line is employed, and
- 5) The control device is equipped with the applicable monitoring equipment specified in Section 218.105(d)(2) of this Part and, except as provided in Section 218.105(d)(3) of this Part, the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in use, and
- 6) The capture system and control device are operated at all times when the subject printing line is in operation. The owner or operator shall demonstrate compliance with this subsection by using the applicable capture system and control device test methods and procedures specified in

Section 218.105(c) through Section 218.105(f) of this Part and by complying with the recordkeeping and reporting requirements specified in Section 218.404(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.402 Applicability

- a) The limitations of Section 218.401 of this Part apply to all flexographic and rotogravure printing lines at a subject facility. All facilities with flexographic and/or rotogravure printing lines are subject facilities unless:
  - 1) Total maximum theoretical emissions of VOM from all flexographic and rotogravure printing line(s) (including solvents used for cleanup operations associated with flexographic and rotogravure printing line(s)) at the facility never exceed 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices, or
  - 2) A federally enforceable construction permit or SIP revision for all flexographic and rotogravure printing line(s) at a facility requires the owner or operator to limit production or capacity of these printing line(s) to reduce total VOM emissions from all flexographic and rotogravure printing line(s) to 90.7 Mg (100 tons) or less per calendar year before the application of capture systems and control devices.
- b) Upon achieving compliance with this Subpart, the emission source is flexographic and rotogravure printing lines are not required to meet Subpart G (Sections 218.301 or 215218.3802 of this Part). Emission sources Flexographic and rotogravure printing lines exempt from this Subpart are subject to Subpart G (Sections 218.301 or 215218.3802 of this Part). Rotogravure or flexographic equipment used for both roll printing and paper coating is subject to this Subpart.



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- c) Once subject to the limitations of Section 218.401, a flexographic or rotogravure printing line is always subject to the limitations of Section 218.401 of this Part.
- d) Any owner or operator of any flexographic or rotogravure printing line that is exempt from the limitations of Section 218.401 of this Part because of the criteria in this Section is subject to the recordkeeping and reporting requirements specified in Section 218.404(b) of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.403 Compliance Schedule

Every owner or operator of a flexographic and/or rotogravure printing line shall comply with the applicable requirements of Section 218.401 and Section 218.404 of this Part in accordance with the applicable compliance schedule specified in subsection (a), (b), (c) or (d) below:

- a) No owner or operator of a flexographic or rotogravure printing line which is exempt from the limitations of Section 218.401 of this Part because of the criteria in Section 218.402 of this Part shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 218.404(b) of this Part.
- b) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 218.401(a) of this Part shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 218.401(a) and Section 218.404(c) of this Part.
- c) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 218.401(b) of this Part shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 218.401(b) and Section 218.404(d) of this Part.

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- d) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 218.401(c) of this Part shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 218.401(c) and Section 218.404(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.404 Recordkeeping and Reporting

- a) The VOM content of each coating and ink and the efficiency of each capture system and control device shall be determined by the applicable test methods and procedures specified in Section 218.105 of this Part to establish the records required under this Section.
- b) Any owner or operator of a printing line which is exempted from the limitations of Section 218.401 of this Part because of the criteria in Section 218.402 of this Part shall comply with the following:
- 1) By a date consistent with Section 218.106 of this Part, the owner or operator of a flexographic and/or rotogravure printing line to which this subsection is applicable shall certify to the Agency that the flexographic and/or rotogravure printing line is exempt under the provisions of Section 218.402 of this Part. Such certification shall include:
    - A) A declaration that the flexographic and/or rotogravure printing line is exempt from the limitations of the criteria in Section 218.401 of this Part because of Section 218.402 of this Part, and
    - B) Calculations which demonstrate that total maximum theoretical emissions of VOM from all flexographic and/or rotogravure printing lines at the facility source never exceed 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices. Total maximum theoretical emissions

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of VOM for a flexographic or rotogravure printing facility is the sum of maximum theoretical emissions of VOM from each flexographic and rotogravure printing line at the facility. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year before the application of capture systems and control devices for each flexographic and rotogravure printing line at the facility:

$$E_p = A \times B + 1095 (C \times D \times F)$$

where:

$E_p$  = Total maximum theoretical emissions of VOM from one flexographic or rotogravure printing line in units of kg/year (lbs/year);

$A$  = Weight of VOM per volume of solids of the coating or ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of coating or ink solids;

$B$  = Total volume of solids for all coatings and inks that can potentially be applied each year on the printing line in units of l/year (gal/year). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each coating and ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency;

$C$  = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs

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VOM(gal) of such material;

$D$  = The greatest volume of cleanup material or solvent used in any 8-hour period and

$F$  = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

2) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a facility-flexographic and rotogravure printing line referenced in this subsection shall collect and record all of the following information each year for each printing line and maintain the information at the facility source for a period of three years:

A) The name and identification number of each coating and ink as applied on each printing line.

B) The VOM content and the volume of each coating and ink as applied each year on each printing line.

3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a facility-flexographic and rotogravure printing line exempted from the limitations of Section 218.401 of this Part because of the criteria in Section 218.402 of this Part shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all printing lines exceed 90.7 Mg (100 tons) in any calendar year before the application of capture systems and control devices by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

c) Any owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(a) of this Part shall comply with the following:

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- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance from an existing subject printing line from Section 218.401(b) or Section 218.401(c) of this Part to Section 218.401(a) of this Part, the owner or operator of a subject printing line shall certify to the Agency that the printing line will be in compliance with Section 218.401(a) of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such certification shall include:
  - A) The name and identification number of each coating and ink as applied on each printing line.
  - B) The VOM content of each coating and ink as applied each day on each printing line.

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(a) of this Part shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:
  - A) The name and identification number of each coating and ink as applied on each printing line.
  - B) The VOM content of each coating and ink as applied each day on each printing line.

- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:
  - A) Any record showing violation of Section 218.401(a) of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.

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- B) At least 30 calendar days before changing the method of compliance with Section 218.401 of this Part from Section 218.401(a) of this Part to Section 218.401(b) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (b)(1)-(e) of this Section, or (e)(1) of this Section, respectively. Upon changing the method of compliance with Section 218.401 of this Part from Section 218.401(a) of this Part to Section 218.401(b) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (b)(1)-(e) of this Section, respectively.
  - d) Any owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(b) shall comply with the following:
    - 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing subject printing line from Section 218.401(a) or (c) of this Part to Section 218.401(b) of this Part, the owner or operator of the subject printing line shall certify to the Agency that the printing line will be in compliance with Section 218.401(b) of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such certification shall include:
      - A) The name and identification number of each printing line which will comply by means of Section 218.401(b) of this Part.
      - B) The name and identification number of each coating and ink available for use on each printing line.
      - C) The VOM content of each coating and ink as applied each day on each printing line.
      - D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating and ink



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as applied each day on each printing line.

E) The method by which the owner or operator will create and maintain records each day as required in subsection (b)(2) of this Section.

F) An example of the format in which the records required in subsection (b)(2) of this Section will be kept.

2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(b) of this Part shall collect and record all of the following information each day for each printing line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating and ink as applied on each printing line.
  - B) The VOM content and the volume of each coating and ink as applied each day on each printing line.
  - C) The daily-weighted average VOM content of all coatings and inks as applied on each printing line.
- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:
- A) Any record showing violation of Section 218.401(b) of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
  - B) At least 30 calendar days before changing the method of compliance with Section 218.401 of this Part from Section 218.401(b) of this

Part to Section 218.401(a) or 218.401(c) of this Part, the owner or operator shall comply with all requirements of subsection (c)(1) or (e)(1) of this Section, respectively. Upon changing the method of compliance with Section 218.401 of this Part from Section 218.401(b) of this Part to Section 218.401(a) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (c) or (e) of this Section, respectively.

e) Any owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(c) of this Part shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from Section 218.401(a) or (b) of this Part to Section 218.401(c) of this Part, the owner or operator of the subject printing line shall perform all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with Section 218.401(c) of this Part on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date.
- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of Section 218.401 of this Part and complying by means of Section 218.401(c) of this Part shall collect and record all of the following information each day for each printing line and maintain the information at the facility for a period of three years:
  - A) Control device monitoring data.
  - B) A log of operating time for the capture system, control device, monitoring equipment and the associated printing line.

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- C) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.
- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:
- A) Any record showing violation of Section 218.401(c) of this Part, shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.

- B) At least 30 calendar days before changing the method of compliance with Section 218.401 of this Part from Section 218.401(c) of this Part to Section 218.401(a) or (b) of this Part, the owner or operator shall comply with all requirements of subsection (c)(1) or (d)(1) of this Section, respectively. Upon changing the method of compliance with Section 218.401 of this Part from Section 218.401(c) of this Part to Section 218.401(a) or (b) of this Part, the owner or operator shall comply with all requirements of subsection (c) or (d) of this Section, respectively.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.405 Heatset-Web-Offset Lithographic Printing

## a) Applicability

- 1) The limitations of subsection (b) below apply to all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at a subject facility source. All facilities sources with heatset-web-offset lithographic printing lines are subject facilities sources unless:

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- A) Total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at the facility source never exceed 90.7 Mg (100 tons) per calendar year in the absence of air pollution control equipment, or
- B) A federally enforceable construction permit or SIP revision for all heatset-web-offset lithographic printing line(s) at a facility source requires the owner or operator to limit production or capacity of these printing line(s) to reduce total VOM emissions from all heatset-web-offset lithographic printing line(s) to 90.7 Mg (100 tons) per calendar year or less in the absence of air pollution control equipment, and
- 2) Any owner or operator of any heatset-web-offset lithographic printing line that is exempt from the limitations in subsection (b) of this Section because of the criteria in subsection (a)(1) of this Section shall be subject to the recordkeeping and reporting requirements in subsection (c)(1) of this Section.
- b) Specific Provisions. No owner or operator of a subject heatset-web-offset printing line may cause or allow the operation of the subject heatset-web-offset printing line unless the owner or operator meets the requirements in subsection (b)(1) or (b)(2) and the requirements in subsections (b)(3) and (b)(4) below.
- 1) An afterburner system is installed and operated that reduces 90 percent of the VOM emissions from the dryer exhaust, or
- 2) The fountain solution contains no more than 8 percent, by weight, of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust, and

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- 3) The control device is equipped with the applicable monitoring equipment specified in Section 218.105(d) (2) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in use, and
- 4) The control device is operated at all times when the subject printing line is in operation. The owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 218.105(a), (d), and (f) of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (c) below.
- c) Recordkeeping and Reporting. The VOM content of each fountain solution and ink and the efficiency of each control device shall be determined by the applicable test methods and procedures specified in Section 218.105 of this Part to establish the records required under this subsection.
- 1) Any owner or operator of a printing line which is exempted from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall comply with the following:
- A) By a date consistent with Section 218.106 of this Part, the owner or operator of a facility heatset- web-offset lithographic printing line to which subsection (c)(1) of this Section is applicable shall certify to the Agency that the facility heatset-web-offset lithographic printing line is exempt under the provisions of subsection (a) of this Section. Such certification shall include:
- i) A declaration that the facility heatset-web-offset lithographic printing line is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section, and

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- ii) Calculations which demonstrate that total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines at the facility never exceed 90.7 Mg (100 tons) per calendar year before the application of air pollution control equipment. Total maximum theoretical emissions of VOM for a heatset-web-offset lithographic printing facility source is the sum of maximum theoretical emissions of VOM from each heatset-web-offset lithographic printing line at the facility. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year in the absence of air pollution control equipment for each heatset-web-offset lithographic printing line at the facility.

$$E_p = (A \times B) + \frac{(C \times D) + 1095}{100} (F \times G \times H)$$

where:

- $E_p$  = Total maximum theoretical emissions of VOM from one heatset-web-offset printing line in units of kg/year (lbs/year) ~~71~~
- $A$  = Weight of VOM per volume of solids of ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of solids ~~71~~ and
- $B$  = Total volume of solids for all inks that can potentially be applied each year on the printing line in units of l/year (gal/year). The instrument or method by which the owner or operator accurately measured or



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calculated the volume of each ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency-1

C = The weight percent VOM of the fountain solution with the highest VOM content-1

D = The total volume of fountain solution that can potentially be used each year on the printing line in units of 1/year (gal/year). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each fountain solution used and the amount that can potentially be used each year on the printing line shall be described in the certification to the Agency-1

F = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs VOM/gal) of such material;

G = The greatest volume of cleanup material or solvent used in any 8-hour period and

H = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

B) On and after a date consistent with Section 218.106 of this Part, the owner or operator

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of a facility-heatset-web-offset lithographic printing line to which subsection (c)(1) of this Section is applicable shall collect and record all of the following information each year for each printing line and maintain the information at the facility-source for a period of three years:

i) The name and identification of each fountain solution and ink as applied on each printing line.

ii) The VOM content and the volume of each fountain solution and ink as applied each year on each printing line.

C) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a facility-source exempted from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all printing lines exceed 90.7 Mg (100 tons) in any calendar year in the absence of air pollution control equipment by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

2) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall comply with the following:

A) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (b)(2) to subsection (b)(1) of this Section, the owner or operator of the subject printing line shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(1)

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of this Section on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date.

- B) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall collect and record the following information each day for each printing line and maintain the information at the facility source for a period of three years:

- i) Control device monitoring data.
- ii) A log of operating time for the control device, monitoring equipment and the associated printing line.
- iii) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages.

- C) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

- i) Any record showing violation of subsection (b)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- ii) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3)(A) of this Section.

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Upon changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3) of this Section.

- 3) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall comply with the following:

- A) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (b)(1) to (b)(2) of this Section, the owner or operator of the subject printing line shall perform all tests and submit to the Agency and the USEPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(2) of this Section on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date.

- B) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall collect and record the following information each day for each printing line and maintain the information at the facility source for a period of three years:

- i) The VOM content of the fountain solution used each day on each printing line.
- ii) A log of operating time for the control device and the associated printing line.

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iii) A maintenance log for the control device detailing all routine and non-routine maintenance performed including dates and duration of any outages.

C) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

- i) Any record showing violation of subsection (b) (2) shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- ii) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b) (2) to (b) (1) of this Section, the owner or operator shall comply with all requirements of subsection (c) (2) (A) of this Section. Upon changing the method of compliance with subsection (b) of this Section from subsection (b) (2) to (b) (1) of this Section, the owner or operator shall comply with all requirements of subsection (c) (2) of this Section.

d) Compliance Schedule. Every owner or operator of a heatset-web-offset lithographic printing line shall comply with the applicable requirements of subsections (b) and (c) of this Section in accordance with the applicable compliance schedule specified in subsection (d) (1), (d) (2), or (d) (3) below:

- 1) No owner or operator of a heatset-web-offset lithographic printing line which is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b) (1) and (c) (1) of this Part.

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2) No owner or operator of a heatset-web-offset lithographic printing line complying by means of subsection (b) (1) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b) (2) (b) (1), (b) (3), (b) (4) and (c) (2) of this Section.

3) No owner or operator of a heatset-web-offset lithographic printing line complying by means of subsection (b) (2) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b) (2), (b) (3), (b) (4) and (c) (3) of this Section.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT PLANT

Section 218.421 General Requirements

The owner or operator of a plant which processes more than 3660 mg/yr (4033 tons/year) gaseous and light liquid VOM, and whose components are used to manufacture the synthetic organic chemicals or polymers listed in Appendix A, shall comply with this Subpart. The provisions of this Subpart are applicable to components containing 10 percent or more by weight VOM as determined by ASTM method E-168, E-169 and E-260, incorporated by reference in Section 218.112 of this Part. Those components that are not process unit components are exempt from this Subpart. A component shall be considered to be leaking if the VOM is equal to, or is greater than 10,000 ppmv as methane or hexane as determined by USEPA Reference Method 21, as specified at 40 CFR 60, Appendix A, incorporated by reference in Section 218.112 of this Part, indication of liquids dripping, or indication by a sensor that a seal or barrier fluid system has failed. The provisions of this Subpart are not applicable if the equipment components are used to produce heavy liquid chemicals only from heavy liquid feed or raw materials.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)



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## Section 218.422 Inspection Program Plan for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to Section 218.421 of this Part shall prepare an inspection program plan which contains, at a minimum:

- a) An identification of all components and the period in which each will be monitored pursuant to Section 218.423 of this Part.
- b) The format for the monitoring log required by Section 218.425 of this Part.
- c) A description of the monitoring equipment to be used when complying with Section 218.423 of this Part; and
- d) A description of the methods to be used to identify all pipeline valves, pressure relief valves in gaseous service, all leaking components, and components exempted under Section 218.423 of this Part such that they are obvious and can be located by both plant personnel performing monitoring and Agency personnel performing inspections.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.423 Inspection Program for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to this Subpart shall, for the purposes of detecting leaks, conduct a component inspection program using the test methods specified in Method 21, 40 CFR 60, Appendix A (1986), incorporated by reference in Section 218.112 of this Part, consistent with the following provisions:

- a) Test annually those components operated near extreme temperature or pressure such that they would be unsafe to routinely monitor and those components which would require the elevation of monitoring personnel higher than two meters above permanent worker access structures or surfaces.
- b) Test quarterly all other pressure relief valves in gas service, pumps in light liquid service, valves in light liquid service and in gas service, and compressors.

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- c) If less than or equal to 2 percent of the valves in light liquid service and in gas service tested pursuant to subsection (b) of this Section are found not to leak for five consecutive quarters, no leak tests shall be required for three consecutive quarters. Thereafter, leak tests shall resume for the next quarter. If that test shows less than or equal to 2 percent of the valves in light liquid service and in gas service are leaking, then no tests are required for the next three quarters. If more than 2 percent are leaking, then tests are required for the next five quarters.
- d) Observe visually all pump seals weekly.
- e) Test immediately any pump seal from which liquids are observed dripping.
- f) Test any relief valve within 24 hours after it has vented to the atmosphere.
- g) Routine instrument monitoring of valves which are not externally regulated, flanges, and equipment in heavy liquid service, is not required. However, any valve which is not externally regulated, flange or piece of equipment in heavy liquid service that is found to be leaking on the basis of sight, smell or sound shall be repaired as soon as practicable but no later than 30 days after the leak is found.
- h) Test immediately after repair any component that was found leaking.
- i) Within one hour of its detection, a weatherproof, readily visible tag, in bright colors such as red or yellow, bearing an identification number and the date on which the leak was detected must be affixed on the leaking component and remain in place until the leaking component is repaired.
- j) The following components are exempt from the monitoring requirements in this Section:
  - 1) Any component that is in vacuum service, and
  - 2) Any pressure relief valve that is connected to an operating flare header or vapor recovery device.

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(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.424 Repairing Leaks

All leaking components must be repaired and retested as soon as practicable but no later than 15 days after the leak is found unless the leaking component cannot be repaired until the process unit is shut down. Records of repairing and retesting must be maintained in accordance with Section 218.425 and 218.426 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.425 Recordkeeping for Leaks

a) The owner or operator of a synthetic organic chemical or polymer manufacturing plant shall maintain a leaking components monitoring log which shall contain, at a minimum, the following information:

- 1) The name of the process unit where the component is located;
- 2) The type of component (e.g., valve, seal);
- 3) The identification number of the component;
- 4) The date on which a leaking component is discovered;
- 5) The date on which a leaking component is repaired;
- 6) The date and instrument reading of the recheck procedure after a leaking component is repaired;
- 7) A record of the calibration of the monitoring instrument;
- 8) The identification number of leaking components which cannot be repaired until process unit shutdown; and
- 9) The total number of valves in light liquid service and in gas service inspected; the total number and the percentage of these valves found leaking

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during the monitoring period.

b) Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report was prepared.

c) Copies of the monitoring log shall be made available to the Agency upon verbal or written request, prior to or at the time of inspection pursuant to Section 4(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 198991, ch. 111 1/2, pars. 1001 et seq.) [415 ILCS 5/1 et seq.] at any reasonable time.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.426 Report for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to Section 218.421 through 218.430 of this Part shall:

a) Submit quarterly reports to the Agency on or before March 31, June 30, September 30, and December 31 of each year, listing all leaking components identified pursuant to Section 218.423 of this Part but not repaired within 15 days, all leaking components awaiting process unit shutdown, the total number of components inspected, the type of components inspected, and the total number of components found leaking, the total number of valves in light liquid service and in gas service inspected and the number and percentage of valves in light liquid service and in gas service found leaking.

b) Submit a signed statement with the report attesting that all monitoring and repairs were performed as required under Section 218.421 through 218.427 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.427 Alternative Program for Leaks

The Agency shall approve an alternative program of monitoring,



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recordkeeping, or reporting to that prescribed in this Subpart upon a demonstration by the owner or operator of such plant that the alternative program will provide plantsource personnel and Agency personnel with an equivalent ability to identify and repair leaking components. Any alternative program can be allowed if approved by the Agency and approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.428 Open-Ended Valves

- a) Each open-ended valve shall be equipped with a cap, blind flange, plug, or a second valve, except during operations requiring fluid flow through the open-ended valve.
- b) Each open-ended valve equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.
- c) Components which are open-ended valves and which serve as a sampling connection shall be controlled such that they comply with subsection(c)(1), (c)(2) or (c)(3) below. This requirement does not apply to in-situ sampling systems.

1) A closed purge system or closed vent system shall return purged process fluid to the process line with no detectable VOM emissions to the atmosphere, or

2) A closed purge system or closed vent system shall collect and recycle purged process fluid to the process line with no detectable VOM emissions to the atmosphere, or

3) Purged process fluid shall be transported to a control device that complies with the requirements of Section 218.429 of this Part. If a container is used to transport purged process fluid to the control device, the container shall be a closed container designed and used to reduce the VOM emissions vented from purged process fluid after transfer to no detectable VOM emissions as

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determined by USEPA Reference Method 21, as specified in 40 CFR 60, Appendix A (1990 or 1991) incorporated by reference in Section 218.112 of this Part. For purposes of this Section, the phrase "after transfer" shall refer to the time at which the entire amount of purged process fluid resulting from a flushing or cleaning of the sample line enters the container, provided, however, that purged process fluid may be transferred from the initial container to another closed container prior to disposal, e.g., to a bulk waste storage container.

- a) ~~In-situ sampling systems are exempt from subsection (e).~~

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.429 Standards for Control Devices

Control devices used to comply with Section 218.428(c) of this Part shall comply with the following:

- a) If the control device is a vapor recovery system (for example, condensers and adsorbers), it shall be designed and operated to recover the VOM emissions vented to it with an efficiency of 95 percent or greater.

b) If the control device is an enclosed combustion device, it shall be designed and operated to reduce the VOM emissions vented to it with an efficiency of 95 percent or greater, or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816°C.

- c) If the control device is a flare, it shall:

- 1) Be designed for and operated with no visible emissions as determined by USEPA Reference Method 22, 40 CFR 60, Appendix A (1986), incorporated by reference in Section 218.112, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

- 2) Be operated with a pilot flame present at all times and shall be monitored with a thermocouple



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or any other equivalent device to detect the presence of the pilot flame.

3) Be steam-assisted, air assisted, or nonassisted.

4) Be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be calculated using the following equation:

$$H_i = \sum_{i=1}^n K_i C_i H_i$$

Where:

$H_i$  = Net heating value of the sample in MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C- $i$

$K_i$  = Constant,  $1.740 \times 10^{-7}$  (1/ppm) (g-mole/scm) (MJ/Kcal)

where

standard temperature for (g-mole/scm) is 20°C- $i$

$C_i$  = Concentration of sample component  $i$ , in ppm, as measured by USEPA Reference Method 18, 40 CFR 60, Appendix A (1986), and ASTM D 2504-83, both incorporated by reference in Section 218.112- $i$

$H_i$  = Net heat of combustion of sample component  $i$ , kcal/g mole. The heats of combustion may be determined using ASTM D 2382-83,

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incorporated by reference in Section 218.112 of this Part, if published values are not available or cannot be calculated.

5) Steam-assisted and nonassisted flares shall be designed and operated with an exit velocity, as determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by USEPA Reference Method 2 or 2A, 40 CFR 60, Appendix A (1986) incorporated by reference in Section 218.112 of this Part, as appropriate; by the unobstructed (free) cross sectional area of the flare tip, less than 18 m/sec (60 ft/sec).

6) Air-assisted flares shall be designed and operated with an exit velocity less than the maximum permitted velocity,  $V_{max}$ , as determined by the following equation:

$$\begin{aligned} V_{max} &= 8.706 + 0.7084(H_i) - i \\ V_{max} &= \text{Maximum permitted velocity, m/sec.} \\ 8.706 &= \text{Constant-}i \\ 0.7084 &= \text{Constant-}i \\ H_i &= \text{The net heating value as determined in subsection (c)(4) of this section.} \end{aligned}$$

d)

If the control device is a closed container, it shall be designed and operated to reduce the VOM emissions, vented from purged process fluid after transfer, to no detectable VOM emissions as determined by USEPA Reference Method 21 as specified at 40 CFR 60, Appendix A (1986), incorporated by reference in Section 218.112. For purposes of this Section, the phrase "after transfer" shall refer to the time at which the entire amount of purged process fluid resulting from a flushing or cleaning of the sample line enters the closed container or containers including the final container(s) prior to disposal. The following information pertaining to closed vent systems and control devices subject to Section 218.429 shall be maintained by the owner or operator. These records shall be updated as necessary to describe current operation and equipment. The records shall be retained at a readily accessible location at the source for a

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minimum of two years after the control device is permanently shutdown.

- 1) Detailed schematics, design specifications, and piping and instrumentation diagrams:
- 2) The dates and description of any changes in design specifications:
- 3) A description of the parameter or parameters monitored and recorded as required in subsection (f)(1) to ensure that the control devices are operated and maintained in conformance with their design and an explanation why that parameter (or parameters) was selected for monitoring.

e) ~~The owner or operator of a control device shall monitor the control device to ensure that it is operated and maintained in conformance with the manufacturer's specifications, modified to the particular process design.~~

fe) The control device shall be operated at all times when emissions may be vented to it.

f) Owners and operators of control devices used to comply with this Subpart shall monitor each control device to ensure that the control device is operated and maintained in conformance with its designs at all times that emissions may be vented to it. This monitoring shall be conducted in accordance with Section 218.429(d)(3). The records prepared as part of this monitoring activity shall include the dates of startup and shutdown of control devices and identify periods when the devices are not operated as designed, including periods when a flare pilot light does not have a flame.

g) The requirements of subsections (d), (e) and (f) shall not apply to a combustion device located at the source used for disposal of purged process fluid which is subject to the Burning of Hazardous Waste in Boilers and Industrials Furnaces (BIF) rules, 40 CFR Parts 260, 261, 264, 265, 266, and 270, or which is subject to the Resource Conservation and Recovery Act (RCRA) rules, 35 Ill. Adm. Code Parts 703, 720, 721, 724, 725, and 726. The owner or operator of such combustion device shall

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satisfy applicable provisions of the RCRA or BIF rules.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

Section 218.430 Compliance Date (Repealed)

~~The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to 35 Ill. Adm. Code 215.430 through 215.438 as of December 31, 1987 shall have complied with the standards and limitations of these sections no later than December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993.)

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES;  
ASPHALT MATERIALS

Section 218.441 Petroleum Refinery Waste Gas Disposal

a) Except as provided in subsection (b) or (c) of this Section, no person shall cause or allow the discharge of organic materials in excess of 100 ppm equivalent methane (molecular weight 16.0) into the atmosphere from:

- 1) Any catalyst regenerator of a petroleum cracking system; or
- 2) Any petroleum fluid coker; or
- 3) Any other waste gas stream from any petroleum or petrochemical manufacturing process.

b) Exception. Existing sources subject to subsection (a)(3) of this Section may, alternatively, at their election, comply with the organic material emission limitations imposed by 35 Ill. Adm. Code 2185.301 or 2185.302; provided, however, that there shall be no increase in emissions from such sources above the level of emissions in existence on May 3, 1979.

c) New Sources. Sources subject to subsection (a)(3) of this Section, construction of which commenced on or after January 1, 1977, may, at their election, comply



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with the following emission limitations:

- 1) A maximum of eight pounds per hour of organic material; or
- 2) Emission of organic material in excess of the limitation of subsection (c)(1) of this Section is allowable if such emissions are controlled by air pollution control methods or equipment approved by the Agency capable of reducing by 85 percent or more the uncontrolled organic material that would otherwise be emitted to the atmosphere. Such methods or equipment must be approved by the Agency and approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.443 Wastewater (Oil/Water) Separator

No owner or operator of a petroleum refinery shall operate any wastewater (oil/water) separator at a petroleum refinery unless the separator is equipped with air pollution control equipment capable of reducing by 85 percent or more the uncontrolled organic material emitted to the atmosphere. If no odor nuisance exists, the limitation of this Section shall not apply if the vapor pressure of the organic material is below 10.34 kPa (1.5 psia) at 2904.3°K (70°F) at all times.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.445 Leaks: General Requirements

a) The owner or operator of a petroleum refinery shall:

- 1a) Develop a monitoring program plan consistent with the provisions of Section 218.446;
- 2b) Conduct a monitoring program consistent with the provisions of Section 218.447;
- 3c) Record all leaking components which have a volatile organic material concentration exceeding 10,000 ppm consistent with the provisions of Section 218.448;

- 4d) Identify each component consistent with the monitoring program plan submitted pursuant to Section 218.446;

- 5e) Repair and retest the leaking components as soon as possible within 22 days after the leak is found, but no later than June 1 for the purposes of Section 218.447(a)(1), unless the leaking components cannot be repaired until the unit is shut down for turnaround; and

- 6f) Report to the Agency consistent with the provisions of Section 218.449.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.446 Monitoring Program Plan for Leaks

The owner or operator of a petroleum refinery shall prepare a monitoring program plan which contains, at a minimum:

- a) An identification of all refinery components and the period in which each will be monitored pursuant to Section 218.447 of this part;
- b) The format for the monitoring log required by Section 218.448 of this part;
- c) A description of the monitoring equipment to be used pursuant to Section 218.447 of this part; and
- d) A description of the methods to be used to identify all pipeline valves, pressure relief valves in gaseous service and all leaking components such that they are obvious to both refinery personnel performing monitoring and Agency personnel performing inspections.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.447 Monitoring Program for Leaks

- a) The owner or operator of a petroleum refinery subject to Section 218.445 of this part shall, for the purpose of detecting leaks, conduct a component monitoring program consistent with the following provisions:



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- 1) Test once between March 1 and June 1 of each year, by methods referenced in Section 218.105(g) of this Part, all pump seals, pipeline valves in liquid service and process drains~~i~~
  - 2) Test once each quarter of each calendar year, by methods referenced in Section 218.105(g) of this Part, all pressure relief valves in gaseous service, pipeline valves in gaseous service and compressor seals~~i~~
  - 3) Inaccessible valves may be tested once each calendar year instead of once each quarter of each calendar year~~i~~
  - 4) Observe visually all pump seals weekly~~i~~
  - 5) Test immediately any pump seal from which liquids are observed dripping~~i~~
  - 6) Test any relief valve within 24 hours after it has vented to the atmosphere~~i~~ and
  - 7) Test immediately after repair any component that was found leaking.
- b) Storage tank valves and pressure relief devices connected to an operating flare header or vapor recovery device are exempt from the monitoring requirements in subsection (a) of this Section.
- c) The Agency or the USEPA may require more frequent monitoring than would otherwise be required by subsection (a) for components which are demonstrated to have a history of leaking.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.449 Reporting for Leaks

The owner or operator of a petroleum refinery shall:

- a) Submit a report to the Agency prior to the 1st day of both July and September listing all leaking components identified pursuant to Section 218.447 of this Part but not repaired within 22 days, all leaking components

awaiting unit turnaround, the total number of components inspected and the total number of components found leaking;

- b) Submit a signed statement with the report attesting that all monitoring and repairs were performed as required under Sections 218.445 through 218.448 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.450 Alternative Program for Leaks

The Agency may approve an alternative program of monitoring, recordkeeping or reporting to that prescribed in Sections 218.446 through 218.449 of this Part upon a demonstration by the owner or operator of a petroleum refinery that the alternative program will provide refinery, Agency and USEPA personnel with an equivalent ability to identify and repair leaking components. Any alternative program can be allowed only if approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.452 Compliance Schedule for Leaks

The owner or operator of a petroleum refinery shall adhere to the increments of progress contained in the following schedule:

- a) Have submitted to the ~~USEPA~~ Agency a monitoring program consistent with Section 218.446 of this Part prior to September 1, 1990.
- b) Have submitted to the ~~USEPA~~ Agency the first monitoring report pursuant to Section 218.449 of this Part prior to October 1, 1990.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.453 Compliance Dates (Repealed)

~~Every owner or operator of a petroleum refinery subject to 35 Ill. Adm. Code 215, Subpart R as of December 31, 1987 shall have~~

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~~complied with its standards and limitations by December 31, 1987-~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

## Section 218.461 Manufacture of Pneumatic Rubber Tires

The owner or operator of an undertread cementing, treadend cementing or bead dipping operation at a pneumatic rubber tire manufacturing ~~facility~~source shall install and operate:

a) A capture system, with minimum capture efficiency of 65 percent by weight of VOM for treadend cementing or bead dipping operations and a capture system with a minimum capture efficiency of 55.5 percent by weight of VOM for undertread cementing; and

b) A control device that meets the requirements of one of the following:

1) A carbon adsorption system designed and operated in a manner such that there is at least a 90 percent removal of VOM by weight from the gases ducted to the control device;

2) An afterburning system that oxidizes at least 90 percent of the captured nonmethane VOMs (VOM measured as total combustible carbon) to carbon dioxide and water; and

3) An alternative VOM emission reduction system demonstrated to have at least a 90 percent overall reduction efficiency and approved by the Agency and approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.462 Green Tire Spraying Operations

The owner or operator of a green tire spraying operation at a pneumatic rubber tire manufacturing ~~facility~~source shall:

a) Install and operate:

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1) A capture system with a minimum capture efficiency of 90 percent by weight of VOM; and

2) A control device that meets the requirements of one of the following:

A) A carbon adsorption system designed and operated in a manner such that there is at least 90 percent removal of VOM by weight from the ~~basegases~~ ducted to the control device;

B) An afterburning system that oxidizes at least 90 percent of the captured nonmethane VOM (measured as total combustible carbon) to carbon dioxide and water; or

C) An alternative VOM emission reduction system demonstrated to have at least a 90 percent overall reduction efficiency and approved by the Agency and approved by the USEPA as a SIP revision.

b) Substitute for the normal solvent-based mold release compound water-based sprays containing:

1) No more than five percent by volume of VOM as applied for the inside of tires;

2) No more than ten percent by volume of VOM as applied for the outside of tires.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.463 Alternative Emission Reduction Systems

In lieu of complying with Section 218.461 or 218.462 of this Part, the owner or operator of an emission source may utilize an alternative volatile organic emission reduction system, including an alternative production process, which is demonstrated to be equivalent to Section 218.461 or 218.462 of this Part on the basis of emissions of volatile organic ~~matter~~material. A treadend cementing operation shall be considered equivalent to Section 218.461 or 218.462 of this Part for the purposes of this Section if the total volatile organic emission from such operation is 10 grams or less per tire.

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(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.464 ~~Testing and Monitoring~~Emission Testing

- a) Upon a reasonable request by the Agency, the owner or operator of a VOM emission source required to comply with a limit of Sections 218.461 through 218.464 of this Part shall conduct emissions testing, at such person's own expense, to demonstrate compliance.
- b) A person planning to conduct a VOM emission test to demonstrate compliance shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so the Agency may observe the test.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.465 Compliance Dates ~~(Repealed)~~

~~Every owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart 5, as of December 31, 1987 shall have complied with its standards and limitations by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.466 Compliance Plan ~~(Repealed)~~

a) ~~The owner or operator of an emission source shall have submitted to the Agency a compliance plan, pursuant to 35 Ill. Adm. Code 201, Subpart H, including a project completion schedule where applicable, no later than April 21, 1983.~~

b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source may operate the emission source according to the plan and schedule as submitted.~~

c) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H, including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

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## SUBPART T: PHARMACEUTICAL MANUFACTURING

## Section 218.480 Applicability

- a) The rules of this Subpart, except for Sections 218.483 through 218.485 of this Part, apply to all emission ~~source~~units of VOM, including but not limited to reactors, distillation units, dryers, storage tanks for VOL, equipment for the transfer of VOL, filters, crystallizers, washers, laboratory hoods, pharmaceutical coating operations, mixing operations and centrifuges used in manufacturing, including packaging, of pharmaceuticals, and emitting more than 6.8 kg/day (15 lbs/day) and more than 2,268 kg/year (2.5 tons/year) of VOM. If such an emission ~~source~~unit emits less than 2,268 kg/year (2.5 tons/year) of VOM, the requirements of this Subpart still apply to the emission ~~source~~unit if VOM emissions from the emission ~~source~~unit exceed 45.4 kg/day (100 lbs/day).

- b) Notwithstanding subsection (a) of this Section, the air suspension coater/dryer, fluid bed dryers, tunnel dryers, and Accelacotas located in Libertyville Township, Lake County, Illinois shall be exempt from the rules of this Subpart, except for Sections 218.483 through 218.485, if emissions of VOM not vented to air pollution control equipment do not exceed the following levels:

- 1) ~~For~~ the air suspension coater/dryer: 2,268 kg/year (2.5 tons/year);

- 2) ~~For~~ each fluid bed dryer: 4,535 kg/year (5.0 tons/year);

- 3) ~~For~~ each tunnel dryer: 6,803 kg/year (7.5 tons/year),<sup>†</sup> and

- 4) ~~For~~ each Accelacota: 6,803 kg/year (7.5 tons/year).

- c) Sections 218.483 through 218.485 of this Part apply to a ~~plants~~source having one or more emission ~~source~~units that:



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- 1) Are used to manufacture pharmaceuticals, and
- 2) Emit more than 6.8 kg/day (15 lbs/day) of VOM and more than 2,268 kg/year (2.5 tons/year) of VOM, or, if less than 2,268 kg/year (2.5 tons/year), these Sections still apply if emissions from one or more sources exceed 45.4 kg/day (100 lbs/day).
- d) No owner or operator shall violate any condition in a permit when the condition results in exclusion of an emission ~~source~~ from this Subpart.
- e) Any pharmaceutical manufacturing source that becomes subject to the provisions of this Subpart at any time shall remain subject to the provisions of this Subpart at all times.
- f) Emissions subject to this Subpart shall be controlled at all times consistent with the requirements set forth in this Subpart.
- g) Any control device required pursuant to this Subpart shall be operated at all times when the source it is controlling is operated.
- h) Determinations of daily and annual emissions for purposes of this Section shall be made using both data on the hourly emission rate (or the emissions per unit of throughput) and appropriate daily and annual data from records of emission ~~source~~ operation (or material throughput or material consumption data). In the absence of representative test data pursuant to Section 218.487 of this Part for the hourly emission rate (or the emissions per unit of throughput), such items shall be calculated using engineering calculations, including the methods described in Appendix B of "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products" (EPA-450/2-78-029), incorporated by reference in Section 218.112 of this Part. (This subsection shall not affect the Agency's or the USEPA's authority to require emission tests to be performed pursuant to Section 218.487 of this Part.)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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- Section 218.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
- a) The owner or operator shall equip all reactors, distillation units, crystallizers, centrifuges and vacuum dryers that are used to manufacture pharmaceuticals with surface condensers or other air pollution control equipment listed in subsection (b) of this Section. If a surface condenser is used, it shall be operated such that the condenser outlet gas temperature does not exceed:
    - 1) 248.2°K (-13°F) when condensing VOM of vapor pressure greater than 40.0 kPa (5.8 psi) at 294.3°K (70°F), or
    - 2) 258.2°K (5°F) when condensing VOM of vapor pressure greater than 20.0 kPa (2.9 psi) at 294.3°K (70°F), or
    - 3) 273.2°K (32°F) when condensing VOM of vapor pressure greater than 10.0 kPa (1.5 psi) at 294.3°K (70°F), or
    - 4) 283.2°K (50°F) when condensing VOM of vapor pressure greater than 7.0 kPa (1.0 psi) at 294.3°K (70°F), or
    - 5) 298.2°K (77°F) when condensing VOM of vapor pressure greater than 3.45 kPa (0.5 psi) at 294.3°K (70°F).
  - b) If a scrubber, carbon adsorber, thermal afterburner, catalytic afterburner, or other air pollution control equipment other than a surface condenser is used, such equipment shall provide a reduction in the emissions of VOM of 90 percent or more.
  - c) The owner or operator shall enclose all centrifuges used to manufacture pharmaceuticals and that have an exposed VOL surface, where the VOM in the VOL has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3°K (70°F), except as production, sampling, maintenance, or inspection procedures require operator access.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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## Section 218.482

Control of Air Dryers, Production Equipment  
Exhaust Systems and Filters

## Section 218.485 Leaks

- a) The owner or operator of an air dryer or production equipment exhaust system used to manufacture pharmaceuticals shall control the emissions of VOM from such emission ~~source~~unit by air pollution control equipment which reduces by 90 percent or more the VOM that would otherwise be emitted into the atmosphere.

- b) The owner or operator shall enclose all rotary vacuum filters and other filters used to manufacture pharmaceuticals and that have an exposed VOL surface, where the VOM in the VOL has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3°K (70°F), except as production, sampling, maintenance, or inspection procedures require operator access.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.483 Material Storage and Transfer

The owner or operator of a pharmaceutical manufacturing ~~plantsource~~ shall:

- a) Provide a vapor balance system that is at least 90 percent effective in reducing VOM emissions from truck or railcar deliveries to storage tanks with capacities equal to or greater than 7.57 m<sup>3</sup> (2,000 gal) that store VOL with vapor pressures greater than 28.0 kPa (4.1 psi) at 294.3°K (70°F), and
- b) Install, operate, and maintain pressure/vacuum conservation vents set at 0.2 kPa (0.03 psi) or greater on all storage tanks that store VOL with vapor pressures greater than 10 kPa (1.5 psi) at 294.3°K (70°F).

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.486 Other Emission ~~Source~~s Units

The owner or operator of a washer, laboratory hood, tablet coating operation, mixing operation or any other process emission ~~source~~unit not subject to Sections 218.481 through 218.485 of this Part, and used to manufacture pharmaceuticals shall control the emissions of VOM from such emission ~~source~~sunits by:

- a) Air pollution control equipment which reduces by 81 percent or more the VOM that would otherwise be emitted to the atmosphere, or
- b) A surface condenser which captures all the VOM which would otherwise be emitted to the atmosphere and which meets the requirements of Section 218.481(a) of this Part and ~~(b)~~.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.487 Testing

- a) Upon request by the Agency or the USEPA, the owner or operator of any VOM emission source subject to this Subpart or exempt from this Subpart by virtue of the provisions of Section 218.480 of this Part shall, at his own expense, demonstrate compliance to the Agency and the USEPA by the methods or procedures listed in Section 218.105(f)(1) of this Part.

- b) A person planning to conduct a VOM emissions test to demonstrate compliance with this Subpart shall notify the Agency and the USEPA of that intent not less than

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30 calendar days before the planned initiation of the test.

procedures or manufacturing directions specifying the circumstances under which covers may be opened and the procedures for opening covers.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

d) For each emission ~~source~~unit used in the manufacture of pharmaceuticals for which the owner or operator of a pharmaceutical manufacturing ~~plant~~source claims emission standards are not applicable, because the emissions are below the applicability cutoffs in Section 218.480(a) or 218.480(b) of this Part, the owner or operator shall:

#### Section 218.489 Recordkeeping for Air Pollution Control Equipment

a) The owner or operator of a pharmaceutical manufacturing ~~facility~~source shall maintain the following records:

1) Parameters listed in Section 218.488(a) ~~(1)~~ of this Part shall be recorded.

2) For ~~source~~emission units subject to Section 218.481, of this Part, the vapor pressure of VOM being controlled shall be recorded for every process.

b) For any leak subject to Section 218.485 of this Part which cannot be readily repaired within one hour after detection, the following records shall be kept:

- 1) The name of the leaking equipment,
- 2) The date and time the leak is detected,
- 3) The action taken to repair the leak, and
- 4) The date and time the leak is repaired.

c) The following records shall be kept for emission ~~source~~units subject to Section 218.484 of this Part which contain VOL:

- 1) For maintenance and inspection:
  - A) The date and time each cover is opened,
  - B) The length of time the cover remains open, and
  - C) The reason why the cover is opened.
- 2) For production and sampling, detailed written

1) Maintain a demonstration including detailed engineering calculations of the maximum daily and annual emissions for each such emission ~~source~~unit showing that the emissions are below the applicability cutoffs in Section 218.480(a) or 218.480(b) of this Part, as appropriate, for the current and prior calendar years;

2) Maintain appropriate operating records for each such emission source to identify whether the applicability cutoffs in Section 218.480(a) or 218.480(b) of this Part, as appropriate, are ever exceeded; and

3) Provide written notification to the Agency and the USEPA within 30 days of a determination that such an emission ~~source~~unit has exceeded the applicability cutoffs in Section 218.480(a) or 218.480(b) of this Part, as appropriate.

e) Records required under subsection (a) of this Section shall be maintained by the owner or operator for a minimum of two years after the date on which they are made.

f) Copies of the records shall be made available to the Agency or the USEPA upon verbal or written request.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART V: AIR OXIDATION PROCESSES

Section 218.521 Definitions (Repealed)



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In addition to the definitions of 35 Ill. Adm. Code 211, Section 218.104 the following definitions apply to this Subpart:

"Air Oxidation Process": any unit process including amoxidation and oxychlorination which uses air or a combination of air and oxygen as an oxidant in combination with one or more organic reactants to produce one or more organic compounds.

"Cost Effectiveness": the annual expense for cost of control of a given process stream divided by the reduction in emissions of organic material of that stream.

"Flow (F)": Vent stream flowrate (scm/min) at a standard temperature of 20°C.

"Full Operating Flowrate": Maximum operating capacity of the facility.

"Hourly Emissions (F)": Hourly emissions reported in kg/hr measured at full operating flowrate.

"Net Heating Value (H)": Vent stream net heating value (MJ/scm), where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of "Flow."

"Process Vent Stream": An emission stream resulting from an air oxidation process.

"Total Resource Effectiveness Index (TRE)": Cost effectiveness in dollars per megagram of controlling any gaseous stream vented to the atmosphere from an air oxidation process divided by \$1600/Mg, using the criteria and methods set forth in this Subpart and Appendices C and D.

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

### Section 218.525 Emission Limitations for Air Oxidation Processes

- a) No person shall cause or allow the emission of VOM from any process vent stream unless the process vent stream is vented to a combustion device which is designed and

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operated either:

- 1) To reduce the volatile organic emissions vented to it with an efficiency of at least ninety eight percent (98%) by weight; or

- 2) To emit VOM at a concentration less than twenty parts per million by volume, dry basis.

b) An Air oxidation facilities process vent stream for which an existing combustion device is employed to control process VOM emissions are not required to meet the 98 percent emissions limit until the combustion device is replaced for other reasons, which shall be considered to include, but not be limited to, normal maintenance, malfunction, accident, and obsolescence. The combustion device is considered to be replaced when:

- 1) All of the device is replaced; or

- 2) When the cost of the repair of the device or the cost of replacement of part of the device exceeds 50% of the cost of replacing the entire device with a device which complies.

c) The limitations of subsection (a) above do not apply to any process vent stream or combination of process vent streams which has a Total Resource Effectiveness Index (TRE) greater than 1.0, as determined by the following methods:

- 1) If an air oxidation process has more than one process vent stream, TRE shall be based upon a combination of the process vent streams.

- 2) TRE of a process vent stream shall be determined according to the following equation:

$$TRE = E^{-1} [a + bF^n + cF + dFH + e(FH)^a + fF^{0.5}]$$

where:

$$n = 0.88;$$

$$TRE = \text{Total resource effectiveness}$$

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F = Vent stream flowrate (scm/min), at a standard temperature of 20°C<sub>i</sub>

E = Hourly measured emissions in kg/hr<sub>i</sub>

H = Net heating value of vent stream (MJ/scm), where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of "Flow"<sub>i</sub>

a, b, c,  
d, e

and f = Coefficients obtained by use of Appendix FD.

- 3) For nonchlorinated process vent streams, if the net heating value, H, is greater than 3.6 MJ/scm, F shall be replaced by  $F' = F$  for purposes of calculating TRE.  $F' = F$  is computed as follows:

$$F' = F / 3.6$$

where F and H are as defined in subsection (c)(2) of this Section.

- 4) The actual numerical values used in the equation described in subsection (c)(2) above shall be determined as follows:

- A) All reference methods and procedures for determining the flow, (F), hourly emissions, (E), and net heating, (H), value shall be in accordance with Appendix C.
- B) All coefficients described in subsection (c)(2) of this Section shall be in accordance with Appendix D.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## Section 218.527 Compliance Date (Repealed)

~~Each owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart V, as of December 31, 1987 shall have complied with the standards and limitations of 35 Ill. Adm. Code 215, Subpart V, by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART W: AGRICULTURE

## Section 218.541 Pesticide Exception

The provisions of Sections 218.301 and 218.302 of this Part shall not apply to the spraying or use of insecticides, herbicides or other pesticides.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART X: CONSTRUCTION

## Section 218.562 Paving Operations

The provisions of Sections 218.301 and 218.302 of this Part shall not apply to the application of paving asphalt and pavement marking paint from sunrise to sunset.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART Y: GASOLINE DISTRIBUTION

## Section 218.581 Bulk Gasoline Plants

- a) Subject to Subsection (e) of this Section, no person may cause or allow the transfer of gasoline from a delivery vessel into a stationary storage tank located at a bulk gasoline plant unless:

- 1) The delivery vessel and the stationary storage tank are each equipped with a vapor collection system that meets the requirements of subsection (d)(4) of this Section.

- 2) Each vapor collection system is operating.

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- 3) The delivery vessel displays the appropriate sticker pursuant to the requirements of Sections 218.584 (b) or (d) of this Part<sub>7i</sub>
- 4) The pressure relief valve(s) on the stationary storage tank and the delivery vessel are set to release at no less than 0.7 psi or the highest pressure allowed by state or local fire codes or the guidelines of the National Fire Prevention Association<sub>7i</sub> and
- 5) The stationary storage tank is equipped with a submerged loading pipe.
- b) Subject to subsection (f) of this Section, no person may cause or allow the transfer of gasoline from a stationary storage tank located at a bulk gasoline plant into a delivery vessel unless:
  - 1) The requirements set forth in subsections (a)(1) through (a)(4) of this Section are met<sub>7i</sub> and
  - 2) Equipment is available at the bulk gasoline plant to provide for the submerged filling of the delivery vessel or the delivery vessel is equipped for bottom loading.
- c) Subject to subsection (e) of this Section, each owner of a stationary storage tank located at a bulk gasoline plant shall:
  - 1) Equip each stationary storage tank with a vapor control system that meets the requirements of subsection (a) or (b) of this Section, whichever is applicable<sub>7i</sub>
  - 2) Provide instructions to the operator of the bulk gasoline plant describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunction of a vapor control system<sub>7i</sub> and
  - 3) Repair, replace or modify any worn out or malfunctioning component or element of design.
- d) Subject to subsection (e) of this Section, each operator of a bulk gasoline plant shall:

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- 1) Maintain and operate each vapor control system in accordance with the owner's instructions<sub>7i</sub>
  - 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system<sub>7i</sub> and
  - 3) Maintain gauges, meters or other specified testing devices in proper working order<sub>7i</sub>
  - 4) Operate the bulk plant vapor collection system and gasoline loading equipment in a manner that prevents:
    - A) Gauge pressure from exceeding 45.7 cm (18 in.) of water and vacuum from exceeding 15.2 cm (6 in.) of water, as measured as close as possible to the vapor hose connection<sub>7i</sub> and
    - B) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", Appendix B, EPA 450/2-78-051, (incorporated by reference in Section 218.112) of this Part<sub>7i</sub> and
    - C) Avoidable leaks of liquid during loading or unloading operations.
  - 5) Provide a pressure tap or equivalent on the bulk plant vapor collection system in order to allow the determination of compliance with subsection (d)(4)(A) of this Section<sub>7i</sub> and
  - 6) Within 15 business days after discovery of any leak by the owner, the operator, the Agency or the USEPA, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) or (B) of this Section.
- e) The requirements of subsections (a), (c) and (d) of this Section shall not apply to:



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- 1) Any stationary storage tank with a capacity of less than 2,177 1 (575 gal); or
- 2) Any bulk gasoline plant whose daily gasoline throughput is less than 15,140 1 (4,000 gal/day) on a thirty-day rolling average.
- f) The requirements of subsection (b) of this Section shall apply only to bulk gasoline plants whose daily gasoline throughput is greater than or equal to 15,140 1 (4,000 gal/day) on a thirty-day rolling average.
- g) Any bulk gasoline plant which is ever subject to subsections (a), (b), (c), or (d) shall always be subject to these paragraphs.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.582 Bulk Gasoline Terminals

- a) No person shall cause or allow the transfer of gasoline into any delivery vessel from any bulk gasoline terminal unless:
  - 1) The bulk gasoline terminal is equipped with a vapor control system that limits emission of VOM to 80 mg/1 (0.00067 lbs/gal) of gasoline loaded;
  - 2) The vapor control system is operating and all vapors displaced in the loading of gasoline to the delivery vessel are vented only to the vapor control system;
  - 3) There is no liquid drainage from the loading device when it is not in use;
  - 4) All loading and vapor return lines are equipped with fittings which are vapor tight; and
  - 5) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 218.584(b) or (d) of this Part; or, if the terminal is driver-loaded, the terminal owner or operator shall be deemed to be in compliance with this Section when terminal access authorization is limited to those owners and/or operators of

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- delivery vessels who have provided a current certification as required by Section 218.584(c) (3) of this Part.
- b) ~~Bulk gasoline terminals were required to take certain actions to achieve compliance which are summarized in 35 Ill. Adm. Code 215, Appendix C.~~
  - e) The operator of a bulk gasoline terminal shall:
    - 1) Operate the terminal vapor collection system and gasoline loading equipment in a manner that prevents:
      - A) Gauge pressure from exceeding 18 inches of water and vacuum from exceeding 6 inches of water as measured as close as possible to the vapor hose connection; and
      - B) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B, incorporated by reference in Section 218.112 of this Part; and
      - C) Avoidable leaks of liquid during loading or unloading operations.
    - 2) Provide a pressure tap or equivalent on the terminal vapor collection system in order to allow the determination of compliance with Section 218.582(d) (1)(A) of this Part; and
    - 3) Within 15 business days after discovery of the leak by the owner, operator, or the Agency repair and retest a vapor collection system which exceeds the limits of subsection (c) (1)(A) or (B) of this Section.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## Section 218.583 Gasoline Dispensing Facilities - Storage Tank Filling Operations

- a) Subject to subsection (b) below, no person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing facility unless:
- 1) The tank is equipped with a submerged loading pipe; and
  - 2) The vapors displaced from the storage tank during filling are processed by a vapor control system that includes one or more of the following:
    - A) A vapor collection system that meets the requirements of subsection (d)(4) below; or
    - B) A refrigeration-condensation system or any other system approved by the Agency and approved by the USEPA as a SIP revision, that recovers at least 90 percent by weight of all vaporized organic material from the equipment being controlled; and
    - C) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 218.584(b) or (d) of this Part.
- b) The requirements of subsection (a)(2) above shall not apply to transfers of gasoline to a stationary storage tank at a gasoline dispensing facility if:
- 1) The tank is equipped with a floating roof, or other system of equal or better emission control approved by the Agency and approved by the USEPA as a SIP revision;
  - 2) The tank has a capacity of less than 2000 gallons and was in place and operating before January 1, 1979; or
  - 3) The tank has a capacity of less than 575 gallons.
- c) Subject to subsection (b) above, each owner of a gasoline dispensing facility shall:

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- 1) Install all control systems and make all process modifications required by subsection (a) above;
  - 2) Provide instructions to the operator of the gasoline dispensing facility describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunction of a vapor control system; and
  - 3) Repair, replace or modify any worn out or malfunctioning component or element of design.
- d) Subject to subsection (b) above, each operator of a gasoline dispensing facility shall:
- 1) Maintain and operate each vapor control system in accordance with the owner's instructions;
  - 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system;
  - 3) Maintain gauges, meters or other specified testing devices in proper working order;
  - 4) Operate the vapor collection system and delivery vessel unloading points in a manner that prevents:
    - A) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B, and
    - B) Avoidable leaks of liquid during the filling of storage tanks; and
  - 5) Within 15 business days after discovery of the leak by the owner, operator, or the Agency, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) above.
- e) ~~Gasoline dispensing facilities were required to take certain actions to achieve compliance which are summarized in 35 Ill. Adm. Code 215, Appendix C.~~

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(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.584 Gasoline Delivery Vessels

- a) Any delivery vessel equipped for vapor control by use of vapor collection equipment:

- 1) Shall have a vapor space connection that is equipped with fittings which are vapor tight;
- 2) Shall have its hatches closed at all times during loading or unloading operations, unless a top loading vapor recovery system is used;
- 3) Shall not internally exceed a gauge pressure of 18 inches of water or a vacuum of 6 inches of water;
- 4) Shall be designed and maintained to be vapor tight at all times during normal operations;
- 5) Shall not be refilled in Illinois at other than:

A) A bulk gasoline terminal that complies with the requirements of Section 218.582 of this Part; or

B) A bulk gasoline plant that complies with the requirements of Section 218.581(b) of this Part.

- 6) Shall be tested annually in accordance with Method 27, 40 CFR 60, Appendix A, incorporated by reference in Section 218.105. Each vessel must be repaired and retested within 15 business days after discovery of the leak by the owner, operator, or the Agency, when it fails to sustain:

A) A pressure drop of no more than three inches of water in five minutes; and

B) A vacuum drop of no more than three inches of water in five minutes.

- b) Any delivery vessel meeting the requirements of subsection (a) of this Section shall have a sticker affixed to the tank adjacent to the tank manufacturer's

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data plate which contains the tester's name, the tank identification number and the date of the test. The sticker shall be in a form prescribed by the Agency, and, for those delivery vessels subject to 35 Ill. Adm. Code 215 as of December 31, 1987 shall have been displayed no later than December 31, 1987.

- c) The owner or operator of a delivery vessel shall:

- 1) Maintain copies of any test required under subsection (a)(6) of this Section for a period of 3 years;
- 2) Provide copies of these tests to the Agency upon request; and
- 3) Provide annual test result certification to bulk gasoline plants and terminals where the delivery vessel is loaded.

- d) Any delivery vessel which has undergone and passed a test in another state which has a USEPA-approved leak testing and certification program will satisfy the requirements of subsection (a) of this Section. Delivery vessels must display a sticker, decal or stencil approved by the state where tested or comply with the requirements of subsection (b) of this Section. All such stickers, decals or stencils shall have been displayed no later than December 31, 1987, for delivery vessels subject to 35 Ill. Adm. Code 215 as of December 31, 1987.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.585 Gasoline Volatility Standards

- a) No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in subsections (b) and (c) of this Section during the regulatory control periods, which shall be July May 1 to August 31 September 15 for retail outlets, wholesale purchaser-consumer, facilities operations, and all other facilities operations.



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- b) The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.50 psi (65.5 62.07 kPa) during the regulatory control period in 1990 and each year thereafter.
- c) The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitations for gasoline set forth in subsection (b) of this Section by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline.
- d) All sampling of gasoline required pursuant to the provisions of this Section shall be conducted by one or more of the following approved methods or procedures which are incorporated by reference in Section 215.105.
- 1) For manual sampling, ASTM D4057;
  - 2) For automatic sampling, ASTM D4177;
  - 3) Sampling procedures for Fuel Volatility, 40 CFR 80 Appendix D.
- e) The Reid vapor pressure of gasoline shall be measured in accordance with either test method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by reference in 35 Ill. Adm. Code 215.218.405112 of this Part. For gasoline - oxygenate blends which contain water-extractable oxygenates, the Reid vapor pressure shall be measured using the dry method test.
- f) The ethanol content of ethanol blend gasolines shall be determined by use of one of the approved testing methodologies specified in 40 CFR 80, Appendix F, incorporated by reference in 35 Ill. Adm. Code 215.218.405112 of this Part.
- g) Any alternate to the sampling or testing methods or procedures contained in subsections (d), (e), and (f) of this Section must be approved by the Agency, which shall consider data comparing the performance of the proposed alternative to the performance of one or more

approved test methods or procedures. Such data shall accompany any request for Agency approval of any alternate test procedure. If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test methods or procedures, the Agency shall approve the proposed alternative.

h) Each refiner or supplier that distributes gasoline or ethanol blends shall:

- 1) During the regulatory control period, state that the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility operation for use in Illinois complies with the Reid vapor pressure limitations set forth in 35 Ill. Adm. Code 215.218.585(b) and (c). Any facility operation receiving this gasoline shall be provided with a copy of an invoice, bill of lading, or other documentation used in normal business practice stating that the Reid vapor pressure of the gasoline complies with the State Reid vapor pressure standard.

- 2) Maintain records for a period of one year on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or ethanol blends leaving the refinery or distribution facility operation for use in Illinois. The Agency shall be provided with copies of such records if requested.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.586

Gasoline Dispensing Facilities Operations -  
Motor Vehicle Fueling Operations

- a) For the purposes of this Section, the following definitions apply.

- 1) Average Monthly Volume means the amount of motor vehicle fuel dispensed per month from a gasoline dispensing facility operation based upon a monthly average for the 2-year period of November, 1990 through October, 1992 or, if not available, the monthly average for the most recent twelve calendar months. Monthly averages are to

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include only those months when the facility operation was operating.

- 2) Certified+ means aAny vapor collection and control system which has been tested and approved by CARB as having a vapor recovery and removal efficiency of at least 95% (by weight) shall constitute a certified vapor collection and control system. CARB testing and approval is pursuant to the CARB manual, ~~hereby~~ incorporated by reference at 218.112 of this Part (California Air Resources Board, Compliance Division, Compliance Assistance Program+ Facilities Phase I & II (October 1988, Rev. March 1991-CARB Manual)). ~~This incorporation includes no later additions or amendments.~~
- 3) Completion of installation+ means the successful passing of one or more of the following tests applicable to the installed vapor collection and control system: Dynamic Backpressure Test, Pressure Decay/Leak Test, and Liquid Blockage Test. (United States Environmental Protection Agency, Washington D.C., EPA-450-3-91-002b). ~~These tests are hereby incorporated by reference at 218.112 of this Part. This incorporation includes no later additions or amendments.~~
- 4) Constructed+ means fabricated, erected or installed; refers to any facility, emission source or air pollution control equipment.
- 5) CARB+ means California Air Resources Board, P.O. Box 2815, Sacramento, CA 95812.
- 6) Employee+ means aAny person who performs work for an employer.
- 7) FacilityOperation+ means aAny building, structure, installation, operation or combination thereof located on contiguous properties and under common ownership that provides for the dispensing of motor vehicle fuel.
- 8) Gasoline Dispensing Facility operation+ means aAny facility operation where motor vehicle fuel is dispensed into motor vehicle fuel tanks or portable containers from a storage tank with a

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- capacity of 2176 liters (575 gallons) or more.
  - 9) Modification+ means aAny change, removal or addition, other than an identical replacement, of any component contained within the vapor collection and control system.
  - 10) Motor Vehicle+ means aAny self-propelled vehicle powered by an internal combustion engine including, but not limited to, automobiles and trucks. Specifically excluded from this definition are watercraft and aircraft.
  - 11) Motor Vehicle Fuel+ means aAny petroleum distillate having a Reid vapor pressure of more than 27.6 kilopascals (kPa) (four pounds per square inch) and which is used to power motor vehicles.
  - 12) Owner or Operator+ means aAny person who owns, leases, operates, manages, supervises or controls (directly or indirectly) a gasoline dispensing facility operation.
  - 13) Reid Vapor Pressure+ for gasoline, it shall be measured in accordance with either the method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by references in 35 Ill. Adm. Code 215-105218.112 of this Part.
  - 14) Vapor Collection and Control System+ means aAny system certified by CARB which limits the discharge to the atmosphere of motor vehicle fuel vapors displaced during the dispensing of motor vehicle fuel into motor vehicle fuel tanks.
- b) The provisions of subsection (c) below shall apply to any gasoline dispensing facility operation which dispenses an average monthly volume of more than 10,000 gallons of motor vehicle fuel per month. Compliance shall be demonstrated in accordance with the schedule provided in subsection (d) below.
- c) No owner or operator of a gasoline dispensing facility operation subject to the requirements of subsection (b) above shall cause or allow the dispensing of motor



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vehicle fuel at any time from a motor fuel dispenser unless the dispenser is equipped with and utilizes a vapor collection and control system which is properly installed and operated as provided below:

- 1) Any vapor collection and control system installed, used or maintained has been CARB certified.
- 2) Any vapor collection and control system utilized is maintained in accordance with the manufacturer's specifications and the certification.
- 3) No elements or components of a vapor collection and control system are modified, removed, replaced or otherwise rendered inoperative in a manner which prevents the system from performing in accordance with its certification and design specifications.
- 4) A vapor collection and control system has no defective, malfunctioning or missing components.
- 5) Operators and employees of the gasoline dispensing facility operation are trained and instructed in the proper operation and maintenance of a vapor collection and control system.
- 6) Instructions are posted in a conspicuous and visible place within the motor fuel dispensing area and describe the proper method of dispensing motor vehicle fuel with the use of the vapor collection and control system.

d) In conjunction with the compliance provisions of Section 218.105 of this Part, facilities operations subject to the requirements of subsection (c) above shall demonstrate compliance according to the following:

- 1) Facilities operations that commenced construction after November 1, 1990, must comply by May 1, 1993.
- 2) Facilities operations that commenced construction before November 1, 1990, and dispense an average monthly volume of more than 100,000 gallons of

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motor fuel per month must comply by November 1, 1993.

- 3) Facilities operations that commenced construction before November 1, 1990, and dispense an average monthly volume of less than 100,000 gallons of motor fuel per month must comply by November 1, 1994.
- 4) New facilities operations constructed after the adoption of this Section shall comply with the requirements of subsection (c) above upon startup of the facility operation.
- 5) Existing facilities operations previously exempted from but which become subject to the requirements of subsection (c) above after May 1, 1993 shall comply with the requirements of subsection (c) above within six calendar months of the date from which the facility operation becomes subject.
- e) Any gasoline dispensing facility operation that becomes subject to the provisions of subsection (c) above at any time shall remain subject to the provisions of subsection (c) above at all times.
- f) Upon request by the Agency, the owner or operator of a gasoline dispensing facility operation which claims to be exempt from the requirements of this Section shall submit records to the Agency within 30 calendar days from the date of the request which demonstrate that the gasoline dispensing facility operation is in fact exempt.
- g) Recordkeeping and reporting:
  - 1) Any gasoline dispensing facility operation subject to subsection (c) above shall retain at the facility operation copies of the registration information required at subsection (h) below.
  - 2) Records and reports required pursuant to this subsection shall be made available to the Agency upon request. Records and reports which shall be maintained by the owner or operator of the gasoline dispensing facility operation shall clearly demonstrate:



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- A) That a certified vapor collection and control system has been installed and tested to verify its performance according to its specifications.
  - B) That proper maintenance has been conducted in accordance with the manufacturer's specifications and requirements.
  - C) The time period and duration of all malfunctions of the vapor collection and control system.
  - D) The motor vehicle fuel throughput of the ~~facility~~operation for each calendar month of the previous year.
  - E) That operators and employees are trained and instructed in the proper operation and maintenance of the vapor collection and control system and informed as to the potential penalties associated with the violation of any provision of this Section.

- h) Any gasoline dispensing ~~facility~~operation subject to subsection (c) above shall be exempt from the permit requirements specified under 35 Ill. Adm. Code 201.142, 201.143 and 201.144 for its vapor collection and control systems, provided that:

- 1) Upon the installation of a vapor collection and control system, the owner or operator of the gasoline dispensing ~~facility~~operation submits to the Agency a registration which provides at minimum the ~~facility~~operation name and address, signature of the owner or operator, the CARB Executive Order Number for the vapor collection and control system to be utilized, the number of nozzles (excluding diesel or kerosene) used for motor vehicle refueling, the monthly average volume of motor vehicle fuel dispensed, the location (including contact person's name, address, and telephone number) of records and reports required by this Section, and the date of completion of installation of the vapor collection and control system.

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- 2) The registration is submitted to the Agency within 30 days of completion of such installation.
  - 3) A copy of the registration information is maintained at the gasoline dispensing ~~facility~~operation.
  - 4) Upon the modification of an existing vapor collection and control system, the owner or operator of the gasoline dispensing ~~facility~~operation submits to the Agency a registration that details the changes to the information provided in the previous registration of the vapor collection and control system and which includes the signature of the owner or operator. The registration must be submitted to the Agency within 30 days of completion of such modification.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART 2: DRY CLEANERS

## Section 218.601 Perchloroethylene Dry Cleaners

The owner or operator of a dry cleaning ~~facility~~operation which uses perchloroethylene shall:

- a) Vent the entire dryer exhaust through a properly designed and functioning carbon adsorption system or equally effective control device; and
- b) Emit no more than 100 ppmv of VOM from the dryer control device before dilution, or achieve a 90 percent average reduction before dilution; and
- c) Immediately repair all components found to be leaking liquid VOM; and
- d) Cook or treat all diatomaceous earth filters so that the residue contains 25 kg (55 lb) or less of VOM per 100 kg (220 lb) of wet waste material; and
- e) Reduce the VOM from all solvent stills to 60 kg (132 lb) or less per 100 kg (220 lb) of wet waste material; and
- f) Drain all filtration cartridges in the filter housing

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or other sealed container for at least 24 hours before discarding the cartridges; and

- g) Dry all drained filtration cartridges in equipment connected to an emission reduction system or in a manner that will eliminate emission of VOM to the atmosphere.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.602 Exemptions

The provisions of Section 218.601 of this Part are not applicable to perchloroethylene dry cleaning operations which are coin-operated or to dry cleaning facilities operations consuming less than 30 gal per month (360 gal per year) of perchloroethylene.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.603 Leaks

The presence of leaks shall be determined for purposes of Section 218.601(c) of this Part by a visual inspection of the following: hose connections, unions, couplings and valves; machine door gaskets and seatings; filter head gasket and seating; pumps; base tanks and storage containers; water separators; filter sludge recovery; distillation unit; diverter valves; saturated lint from lint baskets; and cartridge filters.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.604 Compliance Dates (Repealed)

~~Every owner or operator of an emission source previously subject to 35 Ill. Adm. Code 215, Subpart 2, shall have complied with its standards and limitations in accordance with the applicable dates set forth in 35 Ill. Adm. Code 215.604.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.605 Compliance Plan (Repealed)

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- a) ~~The owner or operator of an emission source subject to this Subpart shall have submitted to the Agency a compliance plan, pursuant to 35 Ill. Adm. Code 201, Subpart H, including a project completion schedule where applicable, no later than, for Section 218.601(a) and (b), April 21, 1983.~~

- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source may operate the emission source according to the plan and schedule as submitted.~~

- e) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H, including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.606 Exception to Compliance Plan (Repealed)

~~Coin-operated dry-cleaning operations and dry-cleaning facilities consuming less than 30 gal per month (360 gal per year) of perchloroethylene are not required to submit or obtain an Agency approved compliance plan or project completion schedule.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.608 Operating Practices for Petroleum Solvent Dry Cleaners

In order to minimize fugitive solvent emissions, the owner or operator of a petroleum solvent dry cleaning facility shall employ good housekeeping practices including the following:

- a) General Housekeeping Requirements

- 1) Equipment containing solvent (washers, dryers, extractors and filters) shall remain closed at all times except during load transfer and maintenance. Lint filter and button trap covers shall remain closed except when solvent-laden material is being removed.

- 2) Cans, buckets, barrels and other containers of solvent or of solvent-laden material shall be



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covered except when in use.

- 3) Solvent-laden material shall be exposed to the atmosphere only for the minimum time necessary for load transfer.

b) Installation and operation of equipment:

- 1) All cartridge filters shall be enclosed and operated in accordance with the procedures and specifications recommended by the manufacturer for the cartridge filter. After installation, the cartridges shall be inspected, monitored and maintained in accordance with the manufacturer's recommendations; and
- 2) Vents on containers for new solvent and for solvent-containing waste shall be constructed and maintained so as to minimize solvent vapor emissions. Criteria for the minimization of solvent vapor emissions include the elimination of solvent buckets and barrels standing open to the atmosphere, and the repair of gaskets and seals that expose solvent-rich environments to the atmosphere, to be determined through visual inspection.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.609 Program for Inspection and Repair of Leaks

- a) The owner or operator of a petroleum solvent dry cleaning facility shall conduct the following visual inspections on a weekly basis:

- 1) Washers, dryers, solvent filters, settling tanks, vacuum stills and containers and conveyors of petroleum solvent shall be inspected for visible leaks of solvent liquid.
- 2) Pipes, hoses and fittings shall be inspected for active dripping or dampness.
- 3) Pumps and filters shall be inspected for leaks around seals and access covers.

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- 4) Gaskets and seals shall be inspected for wear and defects.

- b) Leaks of petroleum solvent liquid and vapors shall be repaired within three working days of detection, unless necessary replacement parts are not on site.

- 1) If necessary, repair parts shall be ordered within three working days of detection of the leak.

- 2) The leak shall be repaired within three days of delivery of necessary parts.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.610 Testing and Monitoring

- a) Compliance with Sections 218.607(b)(2), 218.608 and 218.609 of this Part shall be determined by visual inspection; and

- b) Compliance with Sections 218.607(a)(2) and (b)(1) of this Part shall be determined by methods described in EPA-450/3-82-009 (1982) incorporated by reference in Section 218.112 of this Part.

- c) If a control device is used to comply with Section 218.607(a)(1) of this Part, then compliance shall be determined using 40 CFR 60 Appendix A, Method 25 (1984) incorporated by reference in Section 218.112 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.611 Exemption for Petroleum Solvent Dry Cleaners

The provisions of Sections 218.607 through 218.610 of this Part shall not apply to petroleum solvent dry cleaning facilities whose emissions of VOM do not exceed 91 megagrams (100 tons) per year in the absence of pollution control equipment or whose emissions of VOM, as limited by the operating permit, will not exceed 91 megagrams (100 tons) per year in the absence of pollution control equipment.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)



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Section 218.612 Compliance Dates (Repealed)

~~Owners and operators of emission sources subject to 35 Ill. Adm. Code 215.607 through 215.609 as of December 31, 1987 shall have complied with the requirements set forth therein no later than December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993 )

Section 218.613 Compliance Plan (Repealed)

a) ~~The owner or operator of an emission source subject to 35 Ill. Adm. Code 215.610(a) as of May 31, 1987 shall have submitted to the Agency a compliance plan, including a project completion schedule where applicable, no later than May 31, 1987.~~

b) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993 )

## SUBPART AA: PAINT AND INK MANUFACTURING

## Section 218.620 Applicability

a) This Subpart shall apply to all paint and ink manufacturing plantssources which:

1) Include process emission sourcesunits not subject to Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405 of this Part), Q, R, S, T (excluding Section 218.486 of this Part), V, X, Y, Z or BB of this Part; and which as a group both:

A) Hhave maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and

B) Aare not limited to less than 91 Mg (100

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tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision, or

2) Produce more than 7,570,820 l (2,000,000 gal) per calendar year of paint or ink formulations, which contain less than 10 percent (by weight) water, and ink formulations not containing as the primary solvents water, Magie oil or glycol.

b) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993 )

Section 218.621 Exemption for Waterbase Material and Heatset-Offset Ink

The requirements of Sections 218.624 and 218.625 and Section 218.628(a) of this Part shall not apply to equipment while it is being used to produce either:

a) pPaint or ink formulations which contain 10 percent or more (by weight) water, or

b) iInks containing Magie oil and glycol as the primary solvent.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993 )

Section 218.623 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plantsource or an emission sourceeunit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993 )

Section 218.624 Open-tTop Mills, Tanks, Vats or Vessels

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No person shall operate an open-top mill, tank, vat or vessel with a volume of more than 45 l (12 gal) for the production of paint or ink unless:

- a) The mill, tank, vat or vessel is equipped with a cover which completely covers the mill, tank, vat or vessel opening except for an opening no larger than necessary to allow for safe clearance for a mixer shaft. Such cover shall extend at least 1.27 cm (0.5 in) beyond the outer rim of the opening or be attached to the rim.
- b) The cover remains closed except when production, sampling, maintenance or inspection procedures require access.
- c) The cover is maintained in good condition such that, when in place, it maintains contact with the rim of the opening for at least 90 percent of the circumference of the rim.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.628 Leaks

The owner or operator of a paint or ink manufacturing ~~plants~~ source shall, for the purpose of detecting leaks, conduct an equipment monitoring program as set forth below:

- a) Each pump shall be checked by visual inspection each calendar week for indications of leaks, that is, liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, the pump shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.
- b) Any pump, valve, pressure relief valve, sampling connection, open-ended valve and flange or connector containing a fluid which is at least 10 percent VOM by weight which appears to be leaking on the basis of sight, smell or sound shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.
- c) A weather proof, readily visible tag, in bright colors such as red or yellow, bearing an identification number and the date on which the leak was detected shall be

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attached to leaking equipment. The tag may be removed upon repair, that is, when the equipment is adjusted or otherwise altered to allow operation without leaking.

- d) When a leak is detected, the owner or operator shall record the date of detection and repair and the record shall be retained at the ~~plants~~ source for at least two years from the date of each detection or each repair attempt. The record shall be made available to any person upon verbal or written request during business hours.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.636 Compliance Schedule

Every owner or operator of a ~~an~~ emission source subject to the control requirements of this Subpart shall comply with the requirements thereof on and after a date consistent with Section 218.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.637 Recordkeeping and Reporting

- a) Upon request by the Agency, the owner or operator of an emission source which claims to be exempt from the requirements of this Subpart shall submit records to the Agency within 30 calendar days from the date of the request which document that the emission source is in fact exempt from this Subpart. These records shall include (but are not limited to) the percent water (by weight) in the paint or ink being produced and the quantity of Magie oil, glycol and other solvents in the ink being produced.
- b) Every owner or operator of an ~~emission~~ source which is subject to the requirements of this Subpart shall maintain all records necessary to demonstrate compliance with those requirements at the ~~facility~~ source for three years.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## SUBPART BB: POLYSTYRENE PLANTS

Section ~~218.875~~218.640 Applicability of ~~Subpart BB~~

The provisions of this Subpart shall apply to polystyrene plants:

- a) Which use continuous processes to manufacture polystyrene - polybutadiene co-polymer; and
- b) Which fall within Standard Industrial Classification Group No. 282, Industry No. 2821, except that the manufacture of polystyrene resins need not be the primary manufacturing process at the plant.

(Source: Renumbered from Section 218.875 and amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section ~~218.877~~218.642 Emissions Limitation at Polystyrene Plants

No person shall cause or allow the emissions of VOM from the material recovery section to exceed 0.12 kg of Volatile Organic Material per 1000 kg of polystyrene resin produced.

(Source: Renumbered from Section 218.877 at 17 Ill. Reg. 16636, effective September 27, 1993)

Section ~~218.886~~218.644 Emissions Testing

- a) Upon a reasonable request by the Agency, the owner or operator of a polystyrene plant subject to this Subpart shall at his own expense demonstrate compliance by use of the following method: 40 CFR 60, Appendix A, Method 25 - Determination of Total Gaseous Non-Methane Organic Emissions as Carbon (1984), incorporated by reference in Section 218.112 of this Part.

- b) A person planning to conduct a VOM emissions test to demonstrate compliance with this Subpart shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so the Agency may observe the test.

(Source: Renumbered from Section 218.886 and amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## Section 218.875 Applicability of Subpart BB (Renumbered)

(Source: Renumbered to Section 218.640 at 17 Ill. Reg. 16636 effective September 27, 1993)

## Section 218.877 Emissions Limitation at Polystyrene Plants (Renumbered)

(Source: Renumbered to Section 218.642 at 17 Ill. Reg. 16636 effective September 27, 1993)

## Section 218.879 Compliance Date (Repealed)

~~Every owner and operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart BB, as of December 31, 1997, shall have complied with its standards and limitations by December 31, 1997.~~  
(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.881 Compliance Plan (Repealed)

- a) ~~The owner or operator of an emission source formerly subject to the requirements of 35 Ill. Adm. Code 215 Subpart BB shall have submitted to the Agency a compliance plan in accordance with 35 Ill. Adm. Code 201, Subpart H, including a project completion schedule on or before December 1, 1987.~~

- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source subject to this Subpart may operate the emission source according to the plan and schedule as submitted.~~

- e) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H and Section 218.883.~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.883 Special Requirements for Compliance Plan (Repealed)

~~For sources subject to this Subpart, an approvable compliance plan shall include:~~



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- a) ~~A description of each process which is subject to an emissions limitation~~
- b) ~~Quantification of the emissions from each process~~
- c) ~~A description of the procedures and methods used to determine the emissions of VOM~~
- d) ~~A description of the methods which will be used to demonstrate compliance with the allowable plantwide emission limitation (Section 215.877), including a method of inventory, recordkeeping and emission calculation or measurement~~

(Source: Repealed at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.886 Emissions Testing (Renumbered)

(Source: Renumbered to Section 218.644 at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

## Section 218.920 Applicability

- a) The requirements of this Subpart shall apply to a plant-source's miscellaneous fabricated product manufacturing process emission sourceunits which are not included within any of the source categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, or Z or BB if the plant-source is subject to this Subpart. A plant-source is subject to this Subpart if it contains process emission sourceunits, not regulated by Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405 of this Part), Q, R, S, T (excluding Section 218.486 of this Part), V, X, Y, or Z or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of

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air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision.

- b) If a plant-source ceases to fulfill the criteria of subsection (a) above, the requirements of this Subpart shall continue to apply to a miscellaneous fabricated products manufacturing process emission sourceunit which was ever subject to the control requirements of Section 218.926 of this Part.
- c) No limits under this Subpart shall apply to emission sourceunits with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such source emission units not complying with Section 218.926 does not exceed 4.5 Mg (5.0 tons) per calendar year of this Part.

- d) For the purposes of this Subpart, an emission sourceunit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission sourceunit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption~~

- e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

- f) The control requirements in Subpart PP shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging

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blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

definition of VOM) during any day. Owners and operators complying with this Section are not required to comply with Section 218.301 of this Part, or

- c) An alternative control plan which has been approved by the Agency and ~~approved by~~ the USEPA in federally enforceable permit or as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.923 Permit Conditions

## Section 218.927 Compliance Schedule

Every owner or operator of an emission ~~source~~unit subject to the control requirements of this Subpart shall comply with the requirements thereof on and after a date consistent with Section 218.106 of this Part.

No person shall violate any condition in a permit when the condition results in exclusion of the ~~plant~~source or an emission ~~source~~unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.926 Control Requirements

## Section 218.928 Testing

Every owner or operator of an ~~emission source~~miscellaneous fabricated product manufacturing process emission unit subject to this Subpart shall comply with the requirements of subsection (a), (b) or (c) of this Section:

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 281.926, the owner or operator of a VOM emission ~~source~~unit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 218.105.

- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 218.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

## Section 218.940 Applicability

- b) For coating lines, the daily-weighted average VOM content shall not exceed 0.42 kg VOM/l (3.5 lbs VOM/gal) of coating as applied (minus water and any compounds which are specifically exempted from the

- a) The requirements of this Subpart shall apply to a ~~plant-source's~~ miscellaneous formulation manufacturing process emission ~~source~~units, which are not included within any of the ~~source~~ categories specified in



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Subparts B, E, F, H, Q, R, S, T, V, X, Y, ~~or Z~~ or BB of this Part if the plantsource is subject to this Subpart. A plantsource is subject to this Subpart if it contains process emission ~~sources~~ units, not regulated by Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405 of this Part), Q, R, S, T (excluding Section 218.486 of this Part), V, X, Y, ~~or Z~~ or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable ~~construction~~ permit or a SIP revision.

b) If a plantsource ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission ~~source~~ unit which was ever subject to the control requirements of Section 218.946 of this Part.

c) No limits under this Subpart shall apply to emission ~~sources~~ units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such emission units ~~sources~~ not complying with this Section does not exceed 4.5 Mg (5.0 tons) per calendar year.

d) For the purposes of this Subpart, an emission ~~source~~ unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission ~~source~~ unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. its emissions are below the applicability cutoff level or if the source is covered by an exemption.

e) For the purposes of this Subpart, uncontrolled VOM

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emissions are the emissions of VOM which would result if no air pollution control equipment were used.

- f) The control requirements in Subpart QQ shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.943 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plantsource or an emission ~~source~~ unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.946 Control Requirements

Every owner or operator of an miscellaneous formulation manufacturing process emission ~~source~~ unit subject to this Subpart shall comply with the requirements of subsection (a) or (b) below.

- a) Emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a



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type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 218.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) An alternative control plan which has been approved by the Agency and approved by the USEPA in a federally enforceable permit or as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.947 Compliance Schedule

Every owner or operator of an emission sourceunit subject to the control requirements of this Subpart shall comply with the requirements thereof on and after a date consistent with Section 218.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.948 Testing

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 218.946 of this Part, the owner or operator of a VOM emission sourceunit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 218.105 of this Part.

- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

## Section 218.960 Applicability

- a) The requirements of this Subpart shall apply to a

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plant's source's miscellaneous organic chemical manufacturing process emission sourceunits which are not included within any of the source categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z or BB of this Part, if the plant's source is subject to this Subpart. A plant's source is subject to this Subpart if it contains process emission sourceunits, not regulated by Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405 of this Part), Q, R, S, T (excluding Section 218.486 of this Part), V, X, Y, or Z or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision.

- b) If a plant's source ceases to fulfill the criteria of Subsection (a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous organic chemical manufacturing process emission sourceunit which was ever subject to the control requirements of Section 218.966 of this Part.

- c) No limits under this Subpart shall apply to emission sourceunits with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such emission units sourcees not complying with Section 218.966 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.

- d) For the purposes of this Subpart, an emission source unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission sourceunit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. Its emissions are below the applicability cutoff level or if the source is covered by an

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~~exemption~~

- e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.
- f) The control requirements in Subpart RR shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.963 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant~~source~~ or an emission ~~source~~~~unit~~ from this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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## Section 218.966 Control Requirements

Every owner or operator of an ~~emission source~~ miscellaneous organic chemical manufacturing process emission unit subject to this Subpart shall comply with the requirements of subsection (a), ~~or~~ (b) or (c) below.

- a) Emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 218.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) An alternative control plan which has been approved by the Agency and ~~approved by~~ the USEPA in a federally enforceable permit or as a SIP revision.

- c) Any leaks from components subject to the control requirements of this Subpart shall be subject to the following control measures by March 15, 1995:

- 1) Repair any component from which a leak of VOL can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found, unless the leaking component cannot be repaired until the next process unit shutdown, in which case the leaking component must be repaired before the unit is restarted.
- 2) For any leak which cannot be readily repaired within one hour after detection, the following records, as set forth in this subsection, shall be kept. These records shall be maintained by the owner or operator for a minimum of two years after the date on which they are made. Copies of the records shall be made available to the Agency or USEPA upon verbal or written request.

- A) The name and identification of the leaking



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## component:

- B) The date and time the leak is detected;  
 C) The action taken to repair the leak; and  
 D) The date and time the leak is repaired.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.967 Compliance Schedule

Every owner or operator of an emission ~~source~~unit subject to the control requirements of this Subpart shall comply with the requirements of this Subpart on and after a date consistent with Section 218.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.968 Testing

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 218.966 of this Part, the owner or operator of a VOM emission ~~source~~unit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 218.105 of this Part.
- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART TT: OTHER EMISSION SOURCES UNITS

## Section 218.980 Applicability

- a) The requirements of this Subpart shall apply to a ~~plant~~source's VOM emission ~~source~~units, which are not included within any of the ~~source~~ categories specified in Subparts B, E, F, H, Q, R, S, ~~T~~, V, X, Y, Z, AA, BB, PP, QQ, or RR of this Part, or are not

exempted from permitting requirements pursuant to 35 Ill. Adm. Code 201.146, if the ~~plant~~source is subject to this Subpart. A ~~plant~~source is subject to this Subpart if it contains process emission ~~source~~units, not regulated by Subparts B, E, F (excluding Section 218.204(1) of this Part), H (excluding Section 218.405 of this Part), Q, R, S, ~~T~~ (excluding Section 218.486 of this Part), V, X, Y ~~or~~ Z or BB of this Part, which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable ~~construction or operating~~ permit or a SIP revision.

- b) If a ~~plant~~source ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to an emission ~~source~~unit which was ever subject to the control requirements of Section 218.986 of this Part.

- c) No limits under this Subpart shall apply to emission ~~source~~units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such ~~emission~~units ~~source~~es not complying with Section 218.986 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.

- d) For the purposes of this Subpart, an emission ~~source~~ unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission ~~source~~unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

- e) The control requirements in Subparts ~~QQ, RR, SS and TT~~ shall not apply to sewage treatment plants ~~and~~ vegetable



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oil extraction and processing; plants; coke ovens (including by-product recovery plants); fuel combustion units; ~~sewerage~~; bakeries; ~~jet engine test cells~~; ~~pharmaceutical manufacturing~~ production of polystyrene foam insulation board (including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the plant source), but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging (not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin, and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the plant source); and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.983 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant source or an emission source unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.986 Control Requirements

Every owner or operator of an emission ~~source unit~~ subject to this Subpart shall comply with the requirements of subsection (a), ~~(b), (c), (d), or (e)~~ below.

- a) Emission capture and control equipment which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 218.112, e.g., a

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coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) For coating lines, the daily-weighted average VOM content shall not exceed 0.42 kg VOM/l (3.5 lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied during any day. Owners and operators complying with this Section are not required to comply with Section 218.301 of this Part, or

- c) An alternative control plan which has been approved by the Agency and ~~approved by~~ the USEPA in a federally enforceable permit or as a SIP revision.

- d) Non-contact process water cooling towers which are subject to the control requirements of this Subpart shall comply with the following control measures no later than March 15, 1995 or upon initial startup:

- i) The owner or operator of a non-contact process water cooling tower shall perform the following actions to control emissions of volatile organic material (VOM) from such a tower:

- A) Inspect and monitor such tower to identify leaks of VOM into the water, as further specified in subsection (d)(3) below;

- B) When a leak is identified, initiate and carry out steps to identify the specific leaking component or components as soon as practicable, as further specified in subsection (d)(4) below.

- C) When a leaking component is identified which:

- i) Can be removed from service without disrupting production, remove the component from service;

- ii) Cannot be removed from service without disrupting production, undertake repair of the component at the next reasonable opportunity to do so including any period when the component is out of

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service for scheduled maintenance, as further specified in subsection (d)(4) below.

D) Maintain records of inspection and monitoring activities, identification of leaks and leaking components, elimination and repair of leaks, and operation of equipment as related to these activities, as further specified in subsection (d)(5) below.

2) A VOM leak shall be considered to exist in a non-contact process water cooling water system if the VOM emissions or VOM content exceed background levels as determined by monitoring conducted in accordance with subsection (d)(3)(A) below.

3) The owner or operator of a non-contact process water cooling tower shall carry out an inspection and monitoring program to identify VOM leaks in the cooling water system.

A) The owner or operator of a non-contact process water cooling tower shall submit to the Agency a proposed monitoring program, accompanied by technical justification for the program, including justification for the sampling location(s), parameter(s) selected for measurement, monitoring and inspection frequency, and the criteria used relative to the monitored parameters to determine whether a leak exists as specified in subsection (d)(2) above.

B) This inspection and monitoring program for non-contact process water cooling towers shall include, but shall not be limited to:

i) Monitoring of each such tower with a water flow rate of 25,000 gallons per minute or more at a petroleum refinery at least weekly and monitoring of other towers at least monthly;

ii) Inspection of each such tower at least weekly if monitoring is not performed at least weekly.

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C) This inspection and monitoring program shall be carried out in accordance with written procedures which the Agency shall specify as a condition in a federally enforceable operating permit. These procedures shall include the VOM background levels for the cooling tower as established by the owner or operator through monitoring; describe the locations at which samples will be taken; identify the parameter(s) to be measured; the frequency of measurements, and the procedures for monitoring each such tower, that is, taking of samples and other subsequent handling and analyzing of samples; provide the criteria used to determine that a leak exists as specified in subsection (d)(2) above; and describe the records which will be maintained.

D) A non-contact process water cooling tower is exempt from the requirements of subsections (d)(3)(B) and (d)(3)(C) above if all equipment where leaks of VOM into cooling water may occur is operated at a minimum pressure in the cooling water of at least 35 kPa greater than the maximum pressure in the process fluid.

4) The repair of a leak in a non-contact process water cooling tower shall be considered to be completed in an acceptable manner as follows:

A) Efforts to identify and locate the leaking components are initiated as soon as practicable, but in no event later than three days after detection of the leak in the cooling water tower;

B) Leaking components shall be repaired or removed from service as soon as possible but no later than 30 days after the leak in the cooling water tower is detected, unless the leaking components cannot be repaired until the next scheduled shutdown for maintenance.

5) The owner or operator of a non-contact process water cooling tower shall keep records as set



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forth below in this subsection. These records shall be retained at a readily accessible location at the source and shall be available for inspection and copying by the Agency for at least 3 years:

- A) Records of inspection and monitoring activity;
- B) Records of each leak identified in such tower, with date, time and nature of observation or measured level of parameter;
- C) Records of activity to identify leaking components, with date initiated, summary of components inspected with dates, and method of inspection and observations;
- D) Records of activity to remove a leaking component from service or repair a leaking component, with date initiated and completed, description of actions taken and the basis for determining the leak in such tower has been eliminated. If the leaking component is not identified, repaired or eliminated within 30 days of initial identification of a leak in such tower, this report shall include specific reasons why the leak could not be eliminated sooner including all other intervening periods when the process unit was out of service, actions taken to minimize VOM losses prior to elimination of the leak and any actions taken to prevent the recurrence of a leak of this type.

6) The owner or operator of a non-contact process water cooling tower shall submit an annual report to the Agency which provides:

- A) The number of leaks identified in each cooling tower;
- B) A general description of activity to repair or eliminate leaks which were identified;
- C) Identification of each leak which was not repaired in 30 days from the date of

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identification of a leak in such a tower, with description of the leaks, explanation why the leak was not repaired in 30 days;

D) Identification of any periods when required inspection and monitoring activities were not carried out.

e) Any leaks from components subject to the control requirements of this Subpart shall be subject to the following control measures by March 15, 1995:

- 1) Repair any component from which a leak of VOL can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found, unless the leaking component cannot be repaired until the next process unit shutdown, in which case the leaking component must be repaired before the unit is restarted.
- 2) For any leak which cannot be readily repaired within one hour after detection, the following records, as set forth below in this subsection, shall be kept. These records shall be maintained by the owner or operator for a minimum of two years after the date on which they are made. Copies of the records shall be made available to the Agency or USEPA upon verbal or written request.
  - A) The name and identification of the leaking component;
  - B) The date and time the leak is detected;
  - C) The action taken to repair the leak; and
  - D) The date and time the leak is repaired.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.987 Compliance Schedule

Every owner or operator of an emissions source unit which is subject to this Subpart shall comply with the requirements of this Subpart on and after a date consistent with Section 218.106



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of this Part.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## Section 218.988 Testing

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 218.986 of this Part, the owner or operator of a VOM emission ~~source~~unit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 218.105 of this Part.

- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

## SUBPART UU: RECORDKEEPING AND REPORTING FOR NON-CTG-SOURCES

Section 218.990 Exempt Emission ~~Sources~~Units

Upon request by the Agency, the owner or operator of an emission unit ~~source~~ which is exempt from the requirements of Subparts PP, QQ, RR, TT or Section 218.208(b) of this Part shall submit records to the Agency within 30 calendar days from the date of the request that document that the emission unit ~~source~~ is exempt from those requirements.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218.991 Subject Emission ~~Sources~~Units

- a) Any owner or operator of a VOM emission ~~source~~unit which is subject to the requirements of Subpart PP, QQ, RR or TT and complying by the use of emission capture and control equipment shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new emission ~~source~~unit, the owner or operator of the subject VOM emission ~~source~~unit shall demonstrate to the

Agency that the subject emission ~~source~~unit will be in compliance on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date by submitting to the Agency all calculations and other supporting data, including descriptions and results of any tests the owner or operator may have performed.

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject VOM ~~emission~~ source shall collect and record all of the following information each day and maintain the information at the ~~facility~~source for a period of three years:

- A) Control device monitoring data.  
B) A log of operating time for the capture system, control device, monitoring equipment and the associated emission source.  
C) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.

- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject VOM emission source shall notify the Agency in the following instances:

- A) Any record showing a violation of the requirements of Subpart PP, QQ, RR or TT shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.  
B) At least 30 calendar days before changing the method of compliance with Subpart PP or TT from the use of capture systems and control devices to the use of complying coatings, the owner or operator shall comply with all requirements of subsection (b)(1) of this Section. Upon changing the method of compliance with Subpart PP or TT from the use

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of capture systems and control devices to the use of complying coatings, the owner or operator shall comply with all requirements of subsection (b) of this Section.

4) Testing

- A) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with this Subpart, the owner or operator of a VOM emission source subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 218.105 of this Part.

- B) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

- b) Any owner or operator of a coating line which is subject to the requirements of Subpart PP or TT and complying by means of the daily-weighted average VOM content limitation shall comply with the following:

- 1) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a coating line subject to Subpart PP or TT, the owner or operator of the subject coating line shall certify to the Agency that the coating line will be in compliance on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each coating line which will comply by means of the daily-weighted average VOM content limitation.
- B) The name and identification number of each coating as applied on each coating line.
- C) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each

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day on each coating line.

- D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.

- E) The method by which the owner or operator will create and maintain records each day as required in subsection (b)(2) of this Section.

- F) An example of the format in which the records required in subsection (b)(2) of this Section will be kept.

- 2) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- C) The daily-weighted average VOM content of all coatings as applied on each coating line as defined in Section 218.104 of this Part.

- 3) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:

- A) Any record showing violation of the requirements of Subpart PP or TT shall be reported by sending a copy of such record to the Agency and the USEPA within 30 days following the occurrence of the violation.

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- B) At least 30 calendar days before changing the method of compliance with Subpart PP or TT from the use of complying coatings to the use of capture systems and control devices, the owner or operator shall comply with all requirements of subsection (a)(1) of this Section. Upon changing the method of compliance with Subpart PP or TT from the use of complying coatings to the use capture systems and control devices, the owner or operator shall comply with all requirements of subsection (a) of this Section.

- c) Any owner or operator of a VOM emission source which is subject to the requirements of Subpart PP, QQ, RR or TT and complying by means of an alternative control plan which has been approved by the Agency and approved by the USEPA as a SIP revision shall comply with the recordkeeping and reporting requirements specified in the alternative control plan.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

Section 218. Appendix A  
List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing

CAS No. *	Chemical
105-57-7	Acetal
75-07-0	Acetaldehyde
107-89-1	Acetaldol
60-35-5	Acetamide
103-84-4	Acetanilide
64-19-7	Acetic acid
108-24-7	Acetic anhydride
67-64-1	Acetone
75-86-5	Acetone cyanohydrin
75-05-8	Acetonitrile
98-86-2	Acetophenone
75-36-5	Acetyl chloride
74-86-2	Acetylene
107-02-8	Acrolein
79-06-1	Acrylamide
79-10-7	Acrylic acid & esters
107-13-1	Acrylonitrile
124-04-9	Adipic acid
111-69-3	Adiponitrile
(b)	Alkyl naphthalenes
107-18-6	Allyl alcohol
107-05-1	Allyl chloride
1321-11-5	Aminobenzoic acid
111-41-1	Aminoethylethanamine
123-30-8	p-aminophenol
628-63-7,	Amyl acetates
123-92-2	
71-41-0 <sup>c</sup>	Amyl alcohols
110-58-7	Amyl amine
543-59-9	Amyl chloride
110-68-7 <sup>c</sup>	Amyl mercaptans
1322-06-1	Amyl phenol
62-53-3	Aniline
142-04-1	Aniline hydrochloride
29191-52-4	Anisidine
100-66-3	Anisole
118-92-3	Anthranilic acid
84-65-1	Anthraquinone
100-52-7	Benzaldehyde
55-21-0	Benzamide
71-43-2	Benzene
98-48-6	Benzenedisulfonic acid



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CAS No. *	Chemical
98-11-3	Benzenesulfonic acid
134-81-6	Benzil
76-93-7	Benzilic acid
65-85-0	Benzoic acid
119-53-9	Benzoin
100-47-0	Benzonitrile
119-61-9	Benzophenone
98-07-7	Benzotrichloride
98-88-4	Benzoyl chloride
100-51-6	Benzyl alcohol
100-46-9	Benzylamine
120-51-4	Benzyl benzoate
100-44-7	Benzyl chloride
98-87-3	Benzyl dichloride
92-52-4	Biphenyl
80-05-7	Bisphenol A
10-86-1	Bromobenzene
27497-51-4	Bromonaphthalene
106-99-0	Butadiene
106-98-9	1-butene
123-86-4	n-butyl acetate
141-32-2	n-butyl acrylate
71-36-3	n-butyl alcohol
78-92-2	s-butyl alcohol
75-65-0	t-butyl alcohol
109-73-9	n-butylamine
13952-84-6	s-butylamine
75-64-9	t-butylamine
98-73-7	p-tert-butyl benzoic acid
107-88-0	1,3-butylene glycol
123-72-8	n-butyraldehyde
107-92-6	Butyric acid
106-31-0	Butyric anhydride
109-74-0	Butyronitrile
105-60-2	Caprolactam
75-1-50	Carbon disulfide
558-13-4	Carbon tetrabromide
55-23-5	Carbon tetrachloride
9004-35-7	Cellulose acetate
79-11-8	Chloroacetic acid
108-42-9	m-chloroaniline
95-51-2	o-chloroaniline
106-47-8	p-chloroaniline
35913-09-8	Chlorobenzaldehyde
108-90-7	Chlorobenzene
118-91-2,	Chlorobenzoic acid

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CAS No. *	Chemical
535-80-8,	
74-11-3 <sup>c</sup>	Chlorobenzotrithloride
2136-81-4,	
2136-89-2,	
5216-25-1 <sup>c</sup>	
1321-03-5	Chlorobenzoyl chloride
75-45-6	Chlorodifluoroethane
25497-29-4	Chlorodifluoromethane
67-66-3	Chloroform
25586-43-0	Chloronaphthalene
88-73-3	o-chloronitrobenzene
100-00-5	p-chloronitrobenzene
25167-80-0	Chlorophenols
126-99-8	Chloroprene
7790-94-5	Chlorosulfonic acid
108-41-8	m-chlorotoluene
95-49-8	o-chlorotoluene
106-43-4	p-chlorotoluene
75-72-9	Chlorotrifluoromethane
108-39-4	m-cresol
95-48-7	o-cresol
106-44-5	p-cresol
1319-77-3	Mixed cresols
1319-77-3	Cresylic acid
4170-30-0	Crotonaldehyde
3724-65-0	Crotonic acid
98-82-8	Cumene
80-15-9	Cumene hydroperoxide
372-09-8	Cyanoacetic acid
506-77-4	Cyanogen chloride
108-80-5	Cyanuric acid
108-77-0	Cyanuric chloride
110-82-7	Cyclohexane
108-93-0	Cyclohexanol
108-94-1	Cyclohexanone
110-83-8	Cyclohexene
108-91-8	Cyclohexylamine
111-78-4	Cyclooctadiene
112-30-1	Decanol
123-42-2	Diacetone alcohol
27576-04-1	Diaminobenzoic acid
95-76-1,	
95-82-9,	
554-00-7,	
608-27-5,	
608-31-1,	Dichloroaniline

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CAS No. *	Chemical
626-43-7,	m-dichlorobenzene
27134-27-6,	o-dichlorobenzene
57311-92-9,	p-dichlorobenzene
541-73-1	Dichlorodifluoromethane
95-50-1	Dichloroethyl ether
106-46-7	1,2-dichloroethane (EDC)
75-71-8	Dichlorohydrin
111-44-4	Dichloropropene
107-06-2	Dicyclohexylamine
96-23-1	Diethylamine
26952-23-8	Diethylene glycol
101-83-7	Diethylene glycol dimethyl ether
109-89-7	Diethylene glycol monobutyl ether
111-46-6	Diethylene glycol mononbutyl ether
112-36-7	Diethylene glycol monoethyl ether
111-96-6	Diethylene glycol monomethyl ether
112-34-5	Diethylene glycol monoethyl ether
124-17-7	Diethylene glycol monoethyl ether acetate
111-90-0	Diethylene glycol monoethyl ether
112-15-2	Diethylene glycol monoethyl ether acetate
111-77-3	Diethylene glycol monomethyl ether
64-67-5	Diethyl sulfate
75-37-6	Diethyleneglycol
25167-70-8	Diisobutylene
26761-40-0	Diisocetyl phthalate
27554-26-3	Diisocetyl phthalate
674-82-8	Diketene
124-40-3	Dimethylamine
121-69-7	N,N-dimethylaniline
115-10-6	N,N-dimethyl ether
68-12-2	N,N-dimethylformamide
57-14-7	Dimethylhydrazine
77-78-1	Dimethyl sulfate
75-18-3	Dimethyl sulfide
67-68-5	Dimethyl sulfoxide
120-61-6	Dimethyl terephthalate
99-34-3	3,5-dinitrobenzoic acid
51-28-5	Dinitrophenol
	Dinitrotoluene

123-91-1	Dioxane
646-06-0	Dioxilane
CAS No. *	Chemical
122-39-4	Diphenylamine
101-84-4	Diphenyl oxide
102-08-9	Diphenyl thiourea
25265-71-8	Dipropylene glycol
25378-22-7	Dodecene
28675-17-4	Dodecylaniline
27193-86-8	Dodecylphenol
106-89-8	Epichlorohydrin
64-17-5	Ethanol
141-43-5	Ethanolamines
141-78-6	Ethyl acetate
141-97-9	Ethyl acetoacetate
140-88-5	Ethyl acrylate
75-04-7	Ethylamine
100-41-4	Ethylbenzene
74-96-4	Ethyl bromide
9004-57-3	Ethylcellulose
75-00-3	Ethyl chloride
105-39-5	Ethyl chloroacetate
105-56-6	Ethylcyanoacetate
74-85-1	Ethylene
96-49-1	Ethylene carbonate
107-07-3	Ethylene chlorohydrin
107-15-3	Ethylenediamine
106-93-4	Ethylene dibromide
107-21-1	Ethylene glycol
111-55-7	Ethylene glycol diacetate
110-71-4	Ethylene glycol dimethyl ether
111-76-2	Ethylene glycol monobutyl ether
112-07-2	Ethylene glycol monobutyl ether acetate
110-80-5	Ethylene glycol monoethyl ether
111-15-9	Ethylene glycol monoethyl ether acetate
109-86-4	Ethylene glycol monoethyl ether
110-49-6	Ethylene glycol monomethyl ether acetate
122-99-6	Ethylene glycol monophenyl ether
2807-30-9	Ethylene glycol monopropyl ether
75-21-8	Ethylene oxide
60-29-7	Ethyl ether
104-76-7	2-ethylhexanol

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122-51-0	Ethyl orthoformate
95-92-1	Ethyl oxalate
41892-71-1	Ethyl sodium oxaloacetate
CAS No. *	Chemical
50-00-0	Formaldehyde
75-12-7	Formamide
64-18-6	Formic acid
110-17-8	Fumaric acid
98-01-1	Furfural
56-81-5	Glycerol (Synthetic)
26545-73-7	Glycerol dichlorohydrin
25791-96-2	Glycerol triether
56-40-6	Glycine
107-22-2	Glyoxal
118-74-1	Hexachlorobenzene
67-72-1	Hexachloroethane
36653-82-4	Hexadecyl alcohol
124-09-4	Hexamethylenediamine
629-11-8	Hexamethylene glycol
100-97-0	Hexamethylenetetramine
74-90-8	Hydrogen cyanide
123-31-9	Hydroquinone
99-96-7	p-hydroxybenzoic acid
26760-64-5	Isoamylene
78-83-1	Isobutanol
110-19-0	Isobutyl acetate
115-11-7	Isobutylene
78-84-2	Isobutyraldehyde
79-31-2	Isobutyric acid
25339-17-7	Isodecanol
26952-21-6	Isooctyl alcohol
78-78-4	Isopentane
78-59-1	Isophorone
121-91-5	Isophthalic acid
78-79-5	Isoprene
67-63-0	Isopropanol
108-21-4	Isopropyl acetate
75-31-0	Isopropylamine
75-29-6	Isopropyl chloride
25168-06-3	Isopropylphenol
463-51-4	Ketene
(b)	Linear alkyl sulfonate*
123-01-3	Linear alkylbenzene
110-16-7	Maleic acid
108-31-6	Maleic anhydride
6915-15-7	Malic acid
141-79-7	Mesityl oxide

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121-47-1	Metanilic acid
79-41-4	Methacrylic acid
563-47-3	Methallyl chloride
67-56-1	Methanol
CAS No. *	Chemical
79-20-9	Methyl acetate
105-45-3	Methyl acetoacetate
74-89-5	Methylamine
100-61-8	n-methylaniline
74-83-9	Methyl bromide
37365-71-2	Methyl butynol
74-87-3	Methyl chloride
108-87-2	Methyl cyclohexane
1331-22-2	Methyl cyclohexanone
75-09-2	Methylene chloride
101-77-9	Methylene dianiline
101-68-8	Methylene diphenyl diisocyanate
78-93-3	Methyl ethyl ketone
107-31-3	Methyl formate
108-11-2	Methyl isobutyl carbinol
108-10-1	Methyl isobutyl ketone
80-62-6	Methyl methacrylate
77-75-8	Methylpentynol
98-83-9	B-methylstyrene
110-91-8	Morpholine
85-47-2	a-naphthalene sulfonic acid
120-18-3	B-naphthalene sulfonic acid
90-15-3	a-naphthol
135-19-3	B-naphthol
75-98-9	Neopentanoic acid
88-74-4	o-nitroaniline
100-01-6	p-nitroaniline
91-23-6	o-nitroanisole
100-17-4	p-nitroanisole
98-95-3	Nitrobenzene
27178-83-2 <sup>c</sup>	Nitrobenzoic acid (o, m & p)
79-24-3	Nitroethane
75-52-5	Nitromethane
88-75-5	Nitrophenol
25322-01-4	Nitropropane
1321-12-6	Nitrotoluene
27215-95-8	Nonene
25154-52-3	Nonylphenol
27193-28-8	Octylphenol
123-63-7	Paraldehyde
115-77-5	Pentaerythritol
109-66-0	n-pentane



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109-67-1	1-pentene
127-18-4	Perchloroethylene
594-42-3	Perchloromethyl mercaptan
94-70-2	o-phenetidine
156-43-4	p-phenetidine
CAS No. <sup>a</sup>	Chemical
108-95-2	Phenol
98-67-9,	Phenolsulfonic acids
585-38-6,	
609-46-1,	
133-39-7 <sup>c</sup>	
91-40-7	Phenyl anthranilic acid
(b)	Phenylenediamine
75-44-5	Phosgene
85-44-9	Phthalic anhydride
85-41-6	Phthalimide
108-99-6	b-picoline
110-85-0	Piperazine
9003-29-6,	Polybutenes
25036-29-7 <sup>c</sup>	
25322-68-3	Polyethylene glycol
25322-69-4	Polypropylene glycol
123-38-6	Propionaldehyde
79-09-4	Propionic acid
71-23-8	n-propyl alcohol
107-10-8	Propylamine
540-54-5	Propyl chloride
115-07-1	Propylene
127-00-4	Propylene chlorohydrin
78-87-5	Propylene dichloride
57-55-6	Propylene glycol
75-56-9	Propylene oxide
110-86-1	Pyridine
106-51-4	Quinone
108-46-3	Resorcinol
27138-57-4	Resorcylic acid
69-72-7	Salicylic acid
127-09-3	Sodium acetate
532-32-1	Sodium benzoate
9004-32-4	Sodium carboxymethyl cellulose
3926-62-3	Sodium chloroacetate
141-53-7	Sodium formate
139-02-6	Sodium phenate
110-44-1	Sorbic acid
100-42-5	Styrene
110-15-6	Succinic acid
110-61-2	Succinitrile

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121-57-3	Sulfanilic acid
126-33-0	Sulfolane
1401-55-4	Tannic acid
100-21-0	Terephthalic acid
79-34-5 <sup>c</sup>	Tetrachloroethanes
CAS No. <sup>a</sup>	Chemical
117-08-8	Tetrachlorophthalic anhydride
78-00-2	Tetraethyllead
119-64-2	Tetrahydronaphthalene
85-43-8	Tetrahydrophthalic anhydride
75-74-1	Tetramethyllead
110-60-1	Tetramethylenediamine
110-18-9	Tetramethylethylenediamine
108-88-3	Toluene
95-80-7	Toluene-2,4-diamine
584-84-9	Toluene-2,4-diisocyanate
26471-62-5	Toluene diisocyanates (mixture)
1333-07-9	Toluene sulfonamide
104-15-4 <sup>c</sup>	Toluenesulfonic acids
98-59-9	Toluene sulfonyl chloride
26915-12-8	Toluidines
87-61-6,	Trichlorobenzenes
108-70-3,	
120-82-1 <sup>c</sup>	
71-55-6	1,1,1-trichloroethane
79-00-5	1,1,2-trichloroethane
79-01-6	Trichloroethylene
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-trichloropropane
76-13-1	1,1,2-trichloro-1,2,2-trifluoroethane
121-44-8	Triethylamine
112-27-6	Triethylene glycol
112-49-2	Triethylene glycoldimethyl ether
7756-94-7	Triisobutylene
75-50-3	Trimethylamine
57-13-6	Urea
108-05-4	Vinyl acetate
75-01-4	Vinyl chloride
75-35-4	Vinylidene chloride
25013-15-4	Vinyl toluene
1330-20-7	Xylenes (mixed)
95-47-6	o-xylene
106-42-3	p-xylene
1300-71-6	Xylenol
1300-73-8	Xylidine

- (b)

9002-88-4

(b)

9009-53-6
- methyl tert-butyl ether

Polyethylene

Polypropylene

Polystyrene

- a) CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.
- b) No CAS number(s) have been assigned to this chemical, to its isomers, or mixtures containing these chemicals.
- c) CAS numbers for some of the isomers are listed: the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

- Section 218.Appendix B

VOM Measurement Techniques for Capture Efficiency
- Procedure G.1 - Captured VOEM Emissions

#### 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the volatile organic materials compounds (VOEM) content of captured gas streams. It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations. The procedure may not be acceptable in certain site-specific situations, e.g., when: (1) direct fired heaters or other circumstances affect the quantity of VOEM at the control device inlet; and (2) particulate organic aerosols are formed in the process and are present in the captured emissions.

1.2 Principle. The amount of VOEM captured (G) is calculated as the sum of the products of the VOEM content (C<sub>gi</sub>), the flow rate (Q<sub>gi</sub>), and the sample time (T<sub>c</sub>) from each captured emissions point.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each captured or fugitive emissions point as follows: Q<sub>gi</sub> = 5.5 percent and C<sub>gi</sub> = ±5.0 percent. Based on these numbers, the probable uncertainty for G is estimated at about ±7.4 percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

#### 2. APPARATUS AND REAGENTS

2.1 Gas VOEM Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Sample Probe. Stainless steel, or equivalent. The probe

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shall be heated to prevent VOCM condensation.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow rate control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If captured or fugitive emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

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2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.



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## 2.2 Captured Emissions Volumetric Flow Rate.

2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.

2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

## 3. DETERMINATION OF VOLUMETRIC FLOW RATE OF CAPTURED EMISSIONS

3.1 Locate all points where emissions are captured from the affected facility~~emission~~ unit. Using Method 1, determine the sampling points. Be sure to check each site for cycloonic or swirling flow.

3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.

## 4. DETERMINATION OF VOCM CONTENT OF CAPTURED EMISSIONS

4.1 Analysis Duration. Measure the VOCM responses at each captured emissions point during the entire test run or, if applicable, while the process is operating. If there are multiple captured emission locations, design a sampling system to allow a single FIA to be used to determine the VOCM responses at all sampling locations.

## 4.2 Gas VOCM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA according to the procedure in Section 5.1.

4.2.2 Conduct a system check according to the procedure in Section 5.3.

4.2.3 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.4 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been

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returned to the effluent sampling position.

4.2.5 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

4.2.6 Verify that the sample lines, filter, and pump temperatures are 120 ±5°C.

4.2.7 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple captured emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

## 4.3 Background Concentration.

4.3.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.3.2 Assemble the sample train as shown in Figure 2. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3. NOTE: This sample train shall be a separate sampling train from the one to measure the captured emissions.

4.3.3 Position the probe at the sampling location.

4.3.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.4 to 4.2.7.

4.4 Alternative Procedure. The direct interface sampling and

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analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOC concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the captured emissions for conducting the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct the system drift checks at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before and after each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

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## 6. NOMENCLATURE

$A_i$	=	area of NDO i, ft <sup>2</sup> -i
$A_N$	=	total area of all NDO's in the enclosure, ft <sup>2</sup> -i
$C_{Bi}$	=	corrected average VOEM concentration of background emissions at point i, ppm propane-i
$C_B$	=	average background concentration, ppm propane-i
$C_{Gj}$	=	corrected average VOEM concentration of captured emissions at point j, ppm propane-i
$C_{DH}$	=	average measured concentration for the drift check calibration gas, ppm propane-i
$C_{D0}$	=	average system drift check concentration for zero concentration gas, ppm propane-i
$C_H$	=	actual concentration of the drift check calibration gas, ppm propane-i
$C_i$	=	uncorrected average background VOEM concentration measured at point i, ppm propane-i
$C_j$	=	uncorrected average VOEM concentration measured at point j, ppm propane-i
$G$	=	total VOEM content of captured emissions, kg-i
$K_i$	=	$1.830 \times 10^{-6} \text{ kg}/(\text{m}^3\text{-ppm})\text{-i}$
$n$	=	number of measurement points-i
$Q_{Gj}$	=	average effluent volumetric flow rate corrected to standard conditions at captured emissions point j, m <sup>3</sup> /min-i
$T_c$	=	total duration of captured emissions sampling run, min.

## 7. CALCULATIONS

7.1 Total VOEM Captured Emissions.

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$$G = \sum_{j=1}^n (C_{oj} - C_b) Q_{oj} T_c K_i \quad \text{Eq. 1}$$

7.2  $VOEM$  Concentration of the Captured Emissions at Point j.

$$C_{oj} = (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

7.3 Background  $VOEM$  Concentration at Point i.

$$C_{Bi} = (C_i - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 3}$$

7.4 Average Background Concentration.

$$C_B = \frac{\sum_{i=1}^n C_{Bi} A_i}{n A_N} \quad \text{Eq. 4}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms " $A_i$ " and " $A_N$ " may be deleted from Equation 4.

Procedure G.2 - Captured  $VOEM$  Emissions (Dilution Technique)

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the volatile organic compounds materials ( $VOEM$ ) content of captured gas streams. It is intended to be used as a segment in the development of a gas/gas protocol in which fugitive emissions are measured for determining  $VOEM$  capture efficiency (CE) for surface coating and printing operations. A dilution system is used to reduce the  $VOEM$  concentration of the captured emission to about the same concentration as the fugitive emissions. The procedure may not be acceptable in certain site-specific situations, e.g., when: (1) direct fired heaters or other circumstances affect the quantity of  $VOEM$  at the control device inlet; and (2) particulate organic aerosols are formed in the process and are present in the captured emissions.

1.2 Principle. The amount of  $VOEM$  captured (G) is calculated as

the sum of the products of the  $VOEM$  content ( $C_{oj}$ ), the flow rate ( $Q_{oj}$ ), and the sampling time ( $T_c$ ) from each captured emissions point.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each captured or fugitive emissions point as follows:  $Q_{oj} = \pm 5.5$  percent and  $C_{oj} = \pm 5$  percent. Based on these numbers, the probable uncertainty for G is estimated at about  $\pm 7.4$  percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

2.1 Gas  $VOEM$  Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Dilution System. A Kipp in-stack dilution probe and controller or similar device may be used. The dilution rate may be changed by substituting different critical orifices or adjustments of the aspirator supply pressure. The dilution system shall be heated to prevent  $VOEM$  condensation. Note: An out-of-stack dilution device may be used.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the



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pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If captured or fugitive emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration,

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fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas and Dilution Air Supply. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.9.4 Dilution Check Gas. Gas mixture standard containing propane in air, approximately half the span value after dilution.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

2.2 Captured Emissions Volumetric Flow Rate.

2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.

2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

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2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

4.2.7 Verify that the sample lines, filter, and pump temperatures are 120  $\pm$ 5°C.

3. DETERMINATION OF VOLUMETRIC FLOW RATE OF CAPTURED EMISSIONS

3.1 Locate all points where emissions are captured from the affected facility. Using Method 1, determine the sampling points. Be sure to check each site for cyclonic or swirling flow.

4.2.8 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple captured emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.

4. DETERMINATION OF VOEM CONTENT OF CAPTURED EMISSIONS

4.1 Analysis Duration. Measure the VOEM responses at each captured emissions point during the entire test run or, if applicable, while the process is operating. If there are a multiple captured emissions locations, design a sampling system to allow a single FIA to be used to determine the VOEM responses at all sampling locations.

4.3 Background Concentration.

4.3.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.2 Gas VOEM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA according to the procedure in Section 5.1.

4.3.2 Assemble the sample train as shown in Figure 2. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.4.

4.2.2 Set the dilution ratio and determine the dilution factor according to the procedure in Section 5.3.

4.2.3 Conduct a system check according to the procedure in Section 5.4.

4.3.3 Position the probe at the sampling location.

4.2.4 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.3.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.4 to 4.2.8.

4.2.5 Inject zero gas at the calibration valve assembly. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.4 Alternative Procedure. The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOEM concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

4.2.6 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.4. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the



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measurement system after the dilution system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the diluted captured emissions for conducting the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct the system drift check at the end of each run.

5.3 Determination of Dilution Factor. Inject the dilution check gas into the measurement system before the dilution system and record the response. Calculate the dilution factor using Equation 3.

5.4 System Check. Inject the high range calibration gas at the inlet to the sampling probe while the dilution air is turned off. Record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before and after each test run.

5.5 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

6. NOMENCLATURE

- A<sub>i</sub> = area of NDO i, ft<sup>2</sup>-i  
A<sub>N</sub> = total area of all NDO's in the enclosure, ft<sup>2</sup>-i

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- C<sub>A</sub> = actual concentration of the dilution check gas, ppm propane-i  
C<sub>bi</sub> = corrected average VOEM concentration of background emissions at point i, ppm propane-i  
C<sub>B</sub> = average background concentration, ppm propane-i  
C<sub>DH</sub> = average measured concentration for the drift check calibration gas, ppm propane-i  
C<sub>D0</sub> = average system drift check concentration for zero concentration gas, ppm propane-i  
C<sub>H</sub> = actual concentration of the drift check calibration gas, ppm propane-i  
C<sub>i</sub> = uncorrected average background VOEM concentration measured at point i, ppm propane-i  
C<sub>j</sub> = uncorrected average VOEM concentration measured at point j, ppm propane-i  
C<sub>M</sub> = measured concentration of the dilution check gas, ppm propane-i  
DF = dilution factor-i  
G = total VOCM content of captured emissions, kg-i  
K<sub>i</sub> = 1.830 x 10<sup>6</sup> kg/(m<sup>3</sup>-ppm)-i  
n = number of measurement points-i  
Q<sub>Gj</sub> = average effluent volumetric flow rate corrected to standard conditions at captured emissions point j, m<sup>3</sup>/min-i  
T<sub>C</sub> = total duration of capture efficiency sampling run, min.

7. CALCULATIONS

- 7.1 Total VOEM Captured Emissions.

n



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$$G = \sum_{j=1}^n C_{oj} Q_{oj} T_C K_j \quad \text{Eq. 1}$$

7.2  $VOEM$  Concentration of the Captured Emissions at Point j.

$$C_{oj} = DF (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

## 7.3 Dilution Factor.

$$D_F = \frac{C_A}{C_M} \quad \text{Eq. 3}$$

7.4 Background  $VOEM$  Concentration at Point i.

$$C_{Bi} = (C_i - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 4}$$

## 7.5 Average Background Concentration.

$$C_b = \frac{\sum_{i=1}^n C_{Bi} A_i}{nA_N} \quad \text{Eq. 5}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms " $A_i$ " and " $A_N$ " may be deleted from Equation 4.

Procedure F.2 - Fugitive  $VOEM$  Emissions from Building Enclosures

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the fugitive volatile organic compounds materials ( $VOEM$ ) emissions from a building enclosure (BE). It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining  $VOEM$  capture efficiency (CE) for surface coating and printing operations.

1.2 Principle. The total amount of fugitive  $VOEM$  emissions ( $F_b$ ) from the BE is calculated as the sum of the products of the  $VOEM$  content ( $C_{Fj}$ ) of each fugitive emissions point, its flow rate ( $Q_{Fj}$ ), and time ( $T_F$ ).

1.3 Measurement Uncertainty. The measurement uncertainties are estimated for each fugitive emissions point as follows:  $Q_{Fj} =$

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$\pm 5.0$  percent and  $C_{Fj} = \pm 5.0$  percent. Based on these numbers, the probable uncertainty for  $F_b$  is estimated at about  $\pm 11.2$  percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

2.1 Gas  $VOEM$  Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Sample Probe. Stainless steel, or equivalent. The probe shall be heated to prevent  $VOEM$  condensation.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow rate control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

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2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

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2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

2.2 Fugitive Emissions Volumetric Flow Rate.

2.2.1 Flow Direction Indicators. Any means of indicating inward or outward flow, such as light plastic film or paper streamers, smoke tubes, filaments, and sensory perception.

2.2.2 Method 2 or 2A Apparatus. For determining volumetric flow rate. Anemometers or similar devices calibrated according to the manufacturer's instructions may be used when low velocities are present. Vane anemometers (Young-maximum response propeller), specialized pitots with electronic manometers (e.g., Shortridge Instruments Inc., Airdata Multimeter 860) are commercially available with measurement thresholds of 15 and 8 mpm (50 and 25 fpm), respectively.

2.2.3 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.4 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

## 3. DETERMINATION OF VOLUMETRIC FLOW RATE OF FUGITIVE EMISSIONS

3.1 Preliminary Determinations. The purpose of this exercise is



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to determine

which exhaust points should be measured for volumetric flow rates and VOEM concentrations.

3.1.1 Forced Draft Openings. Identify all forced draft openings. Determine the volumetric flow rate according to Method 2.

3.1.2 NDO's Exhaust Points. The NDO's in the roof of a facility the building or room in which the emission unit is located are considered to be exhaust points. Determine volumetric flow rate from these NDO's. Divide the cross-sectional area according to Method 1 using 12 equal areas. Use the appropriate velocity measurement devices, e.g., propeller anemometers.

3.1.3 Other NDO's.

3.1.3.1 This step is optional. Determine the exhaust flow rate, including that of the control device, from the enclosure and the intake air flow rate. If the exhaust flow rate divided by the intake air flow rate is greater than 1.1, then all other NDO's are not considered to be significant exhaust points.

3.1.3.2 If the option above is not taken, identify all other NDO's and other potential points through which fugitive emissions may escape the enclosure. Then use the following criteria to determine whether flow rates and VOEM concentrations need to be measured:

3.1.3.2.1 Using the appropriate flow direction indicator, determine the flow direction. An NDO with zero or inward flow is not an exhaust point.

3.1.3.2.2 Measure the outward volumetric flow rate from the remainder of the NDO's. If the collective flow rate is 2 percent, or less, of the flow rate from Sections 3.1.1 and 3.1.2, then these NDO's, except those within two equivalent diameters (based on NDO opening) from a VOEM source emitting point, may be considered to be non-exhaust points.

3.1.3.2.3 If the percentage calculated in Section 3.1.3.2.2 is greater than 2 percent, those NDO's (except those within two equivalent diameters from a VOEM source emitting point) whose volumetric flow rate total 2 percent of the flow rate from Sections 3.1.1 and 3.1.2 may be considered as non-exhaust points. All remaining NDO's shall be measured for volumetric flow rate and VOEM concentrations during the CE test.

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3.1.3.2.4 The tester may choose to measure VOEM concentrations at the forced exhaust points and the NDO's. If the total VOEM emissions from the NDO's are less than 2 percent of the emissions from the forced draft and roof NDO's, then these NDO's may be eliminated from further consideration.

3.2 Determination of Flow Rates.

3.2.1 Measure the volumetric flow rate at all locations identified as exhaust points in Section 3.1. Divide each exhaust opening into 9 equal areas for rectangular openings and 8 for circular openings.

3.2.2 Measure the velocity at each site at least once every hour during each sampling run using Method 2 or 2A, if applicable, or using the low velocity instruments in Section 2.2.2.

## 4. DETERMINATION OF VOEM CONTENT OF FUGITIVE EMISSIONS

4.1 Analysis Duration. Measure the VOEM responses at each fugitive emission point during the entire test run or, if applicable, while the process is operating. If there are multiple emissions locations, design a sampling system to allow a single FIA to be used to determine the VOEM responses at all sampling locations.

4.2 Gas VOEM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3, respectively.

4.2.2 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.3 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.2.4 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform drift checks during the run not to exceed one



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drift check per hour.

4.2.5 Verify that the sample lines, filter, and pump temperatures are 120 ±5°C.

4.2.6 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the response measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

4.3 Alternative Procedure The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOEM concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the captured emissions for conducting the drift checks. Introduce the zero and

calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct a system drift check at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

## 6. NOMENCLATURE

$C_{DH}$	=	average measured concentration for the drift check calibration gas, ppm propane-i
$C_{D0}$	=	average system drift check concentration for zero concentration gas, ppm propane-i
$C_{Fj}$	=	corrected average VOEM concentration of fugitive emissions at point j, ppm propane-i
$C_H$	=	actual concentration of the drift check calibration gas, ppm propane-i
$C_j$	=	uncorrected average VOEM concentration measured at point j, ppm propane-i
$F_B$	=	total VOEM content of fugitive emissions from the building, kg-i
$K_i$	=	$1.830 \times 10^{-6} \text{ kg}/(\text{m}^3\text{-ppm})\text{-i}$
$n$	=	number of measurement points-i
$Q_{Fj}$	=	average effluent volumetric flow rate corrected to standard conditions at fugitive emissions point j, $\text{m}^3/\text{min}\text{-i}$

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$T_p$  = total duration of capture efficiency sampling run, min.

volume, unless otherwise noted.

## 7. CALCULATIONS

## 2. APPARATUS AND REAGENTS

## 7.1 Total VOEM Fugitive Emissions From the Building.

2.1 Gas VOEM Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

$$F_B = \sum_{j=1}^n C_{Fj} Q_{Fj} T_F K_1 \quad \text{Eq. 1}$$

2.1.1 Sample Probe. Stainless steel, or equivalent. The probe shall be heated to prevent VOEM condensation.

## 7.2 VOEM Concentration of the Fugitive Emissions at Point j.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

$$C_{Fj} = (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

## 1. INTRODUCTION

## Procedure F.1 - Fugitive VOEM Emissions from Temporary Enclosures

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

1.1 Applicability. This procedure is applicable for determining the fugitive volatile organic compounds (VOEM) emissions from a temporary total enclosure (TTE). It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

1.2 Principle. The amount of fugitive VOEM emissions (F) from the TTE is calculated as the sum of the products of the VOEM content ( $C_{Fj}$ ), the flow rate ( $Q_{Fj}$ ), and the sampling time ( $T_p$ ) from each fugitive emissions point.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each fugitive emission point as follows:  $Q_{Fj} = \pm 5.5$  percent and  $CF_j = \pm 5.0$  percent. Based on these numbers, the probable uncertainty for F is estimated at about  $\pm 7.4$  percent.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by

2.1.7 Organic Concentration Analyzer. An FIA with a span value



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of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane

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concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

2.2 Fugitive Emissions Volumetric Flow Rate.

2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.

2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

2.3 Temporary Total Enclosure. The criteria for designing a TTE are discussed in Procedure T.

### 3. DETERMINATION OF VOLUMETRIC FLOW RATE OF FUGITIVE EMISSIONS

3.1 Locate all points where emissions are exhausted from the TTE. Using Method 1, determine the sampling points. Be sure to check each site for cyclonic or swirling flow.

3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.

### 4. DETERMINATION OF VOEM CONTENT OF FUGITIVE EMISSIONS

4.1 Analysis Duration. Measure the VOEM responses at each fugitive emission point during the entire test run or, if applicable, while the process is operating. If there are multiple emission locations, design a sampling system to allow a single FIA to be used to determine the VOEM responses at all sampling locations.

4.2 Gas VOEM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate



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the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3, respectively.

4.2.2 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.3 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.2.4 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

4.2.5 Verify that the sample lines, filter, and pump temperatures are 120 ±5°C.

4.2.6 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the response measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

#### 4.3 Background Concentration.

##### 4.3.1 Determination of VOEG Background Concentration.

4.3.1.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.3.1.2 Assemble the sample train as shown in Figure 2.

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Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3.

4.3.1.3 Position the probe at the sampling location.

4.3.1.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.3 to 4.2.6.

4.4 Alternative Procedure. The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOEG concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

#### 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas concentration that most closely approximates that of the fugitive gas emissions to conduct the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct a system drift check at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The

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performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

## 6. NOMENCLATURE

- $A_i$  = area of NDO  $i$ ,  $ft^2-i$
- $A_N$  = total area of all NDO's in the enclosure,  $ft^2-i$
- $C_{Bi}$  = corrected average VOEM concentration of background emissions at point  $i$ , ppm propane- $i$
- $C_B$  = average background concentration, ppm propane- $i$
- $C_{DH}$  = average measured concentration for the drift check calibration gas, ppm propane- $i$
- $C_{Do}$  = average system drift check concentration for zero concentration gas, ppm propane- $i$
- $C_{Fi}$  = corrected average VOEM concentration of fugitive emissions at point  $j$ , ppm propane- $i$
- $C_H$  = actual concentration of the drift check calibration gas, ppm propane- $i$
- $C_i$  = uncorrected average background VOEM concentration measured at point  $i$ , ppm propane- $i$
- $C_j$  = uncorrected average VOEM concentration measured at point  $j$ , ppm propane- $i$
- $G$  = total VOEM content of captured emissions, kg- $i$
- $K_i$  =  $1.830 \times 10^{-6}$  kg/( $m^3$ -ppm)- $i$
- $n$  = number of measurement points- $i$
- $Q_{Fij}$  = average effluent volumetric flow rate corrected to standard conditions at fugitive emissions point  $j$ ,

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$m^3/min-i$

$T_F$  = total duration of fugitive emissions sampling run, min.

## 7. CALCULATIONS

## 7.1 Total VOEM Fugitive Emissions.

$$F = \sum_{j=1}^n (C_{Fj} - C_B) Q_{Fj} T_F K_i \quad \text{Eq. 1}$$

7.2 VOEM Concentration of the Fugitive Emissions at Point  $j$ .

$$C_{Fj} = (C_j - C_{Do}) \frac{C_H}{C_{DH} - C_{Do}} \quad \text{Eq. 2}$$

7.3 Background VOEM Concentration at Point  $i$ .

$$C_{Bi} = (C_i - C_{Do}) \frac{C_H}{C_{DH} - C_{Do}} \quad \text{Eq. 3}$$

## 7.4 Average Background Concentration.

$$C_B = \frac{\sum_{i=1}^n C_{Bi} A_i}{nA_N} \quad \text{Eq. 5}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms " $A_i$ " and " $A_N$ " may be deleted from Equation 4.

Procedure L - VOEM Input

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the input of volatile organic compounds materials (VOEM). It is intended to be used as a segment in the development of liquid/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations.

1.2 Principle. The amount of VOEM introduced to the process (L) is the sum of the products of the weight (W) of each VOEM containing liquid (ink, paint, solvent, etc.) used and its VOEM



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content (V). A sample of each VOEM containing liquid is analyzed with a flame ionization analyzer (FIA) to determine V.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each VOEM containing liquid as follows:  $W = 2.0$  percent and  $V = \pm 12.0$  percent. Based on these numbers, the probable uncertainty for  $I$  is estimated at about  $\pm 12.2$  percent for each VOEM containing liquid.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

## 2.1 Liquid Weight.

2.1.1 Balances/Digital Scales. To weigh drums of VOEM containing liquids to within 0.2 lb.

2.1.2 Volume Measurement Apparatus (Alternative). Volume meters, flow meters, density measurement equipment, etc., as needed to achieve same accuracy as direct weight measurements.

2.2 VOEM Content (Flame Ionization Analyzer Technique). The liquid sample analysis system is shown in Figures 1 and 2. The following equipment is required:

2.2.1 Sample Collection Can. An appropriately sized metal can to be used to collect VOEM containing materials. The can must be constructed in such a way that it can be grounded to the coating container.

2.2.2 Needle Valves. To control gas flow.

2.2.3 Regulators. For carrier gas and calibration gas cylinders.

2.2.4 Tubing. Teflon or stainless steel tubing with diameters and lengths determined by connection requirements of equipment.

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The tubing between the sample oven outlet and the FIA shall be heated to maintain a temperature of  $120 \pm 5^\circ\text{C}$ .

2.2.5 Atmospheric Vent. A tee and 0- to 0.5-liter/min rotameter placed in the sampling line between the carrier gas cylinder and the VOEM sample vessel to release the excess carrier gas. A toggle valve placed between the tee and the rotameter facilitates leak tests of the analysis system.

2.2.6 Thermometer. Capable of measuring the temperature of the hot water bath to within  $1^\circ\text{C}$ .

2.2.7 Sample Oven. Heated enclosure, containing calibration gas coil heaters, critical orifice, aspirator, and other liquid sample analysis components, capable of maintaining a temperature of  $120 \pm 5^\circ\text{C}$ .

2.2.8 Gas Coil Heaters. Sufficient lengths of stainless steel or Teflon tubing to allow zero and calibration gases to be heated to the sample oven temperature before entering the critical orifice or aspirator.

2.2.9 Water Bath. Capable of heating and maintaining a sample vessel temperature of  $100 \pm 5^\circ\text{C}$ .

2.2.10 Analytical Balance. To measure  $\pm 0.001$  g.

2.2.11 Disposable Syringes. 2-cc or 5-cc.

2.2.12 Sample Vessel. Glass, 40-ml septum vial. A separate vessel is needed for each sample.

2.2.13 Rubber Stopper. Two-hole stopper to accommodate 3.2-mm (1/8-in.) Teflon tubing, appropriately sized to fit the opening of the sample vessel. The rubber stopper should be wrapped in Teflon tape to provide a tighter seal and to prevent any reaction of the sample with the rubber stopper. Alternatively, any leak-free closure fabricated of non-reactive materials and accommodating the necessary tubing fittings may be used.

2.2.14 Critical Orifices. Calibrated critical orifices capable of providing constant flow rates from 50 to 250 ml/min at known pressure drops. Sapphire orifice assemblies (available from O'Keefe Controls Company) and glass capillary tubing have been found to be adequate for this application.

2.2.15 Vacuum Gauge. 0- to 760-mm (0- to 30-in.) Hg U-Tube



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manometer or vacuum gauge.

2.2.16 Pressure Gauge. Bourdon gauge capable of measuring the maximum air pressure at the aspirator inlet (e.g., 100 psig).

2.2.17 Aspirator. A device capable of generating sufficient vacuum at the sample vessel to create critical flow through the calibrated orifice when sufficient air pressure is present at the aspirator inlet. The aspirator must also provide sufficient sample pressure to operate the FIA. The sample is also mixed with the dilution gas within the aspirator.

2.2.18 Soap Bubble Meter. Of an appropriate size to calibrate the critical orifices in the system.

2.2.19 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.2.19.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.2.19.2 Calibration Drift. Less than  $\pm 3.0$  percent of span value.

2.2.19.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.2.20 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.2.21 Chart Recorder (Optional). A chart recorder or similar device is recommended to provide a continuous analog display of the measurement results during the liquid sample analysis.

2.2.22 Calibration and Other Gases. For calibration, fuel, and combustion air (if required) contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each

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calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.2.22.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.2.22.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane) or less than 0.1 percent of the span value, whichever is greater.

2.2.22.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.2.22.4 System Calibration Gas. Gas mixture standard containing propane in air, approximating the undiluted VOEM concentration expected for the liquid samples.

## 3. DETERMINATION OF LIQUID INPUT WEIGHT

3.1 Weight Difference. Determine the amount of material introduced to the process as the weight difference of the feed material before and after each sampling run. In determining the total VOEM containing liquid usage, account for: (a) the initial (beginning) VOEM containing liquid mixture; (b) any solvent added during the test run; (c) any coating added during the test run; and (d) any residual VOEM containing liquid mixture remaining at the end of the sample run.

3.1.1 Identify all points where VOEM containing liquids are introduced to the process. To obtain an accurate measurement of VOEM containing liquids, start with an empty fountain (if applicable). After completing the run, drain the liquid in the fountain back into the liquid drum (if possible), and weigh the drum again. Weigh the VOEM containing liquids to  $\pm 0.5$  percent of the total weight (full) or  $\pm 0.1$  percent of the total weight of VOEM containing liquid used during the sample run, whichever is less. If the residual liquid cannot be returned to the drum, drain the fountain into a preweighed empty drum to determine the

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final weight of the liquid.

3.1.2 If it is not possible to measure a single representative mixture, then weigh the various components separately (e.g., if solvent is added during the sampling run, weigh the solvent before it is added to the mixture). If a fresh drum of VOEM containing liquid is needed during the run, then weigh both the empty drum and fresh drum.

3.2 Volume Measurement (Alternative). If direct weight measurements are not feasible, the tester may use volume meters and flow rate meters (and density measurements) to determine the weight of liquids used if it can be demonstrated that the technique produces results equivalent to the direct weight measurements. If a single representative mixture cannot be measured, measure the components separately.

## 4. DETERMINATION OF VOEM CONTENT IN INPUT LIQUIDS

## 4.1 Collection of Liquid Samples.

4.1.1 Collect a 100-ml or larger sample of the VOEM containing liquid mixture at each application location at the beginning and end of each test run. A separate sample should be taken of each VOEM containing liquid added to the application mixture during the test run. If a fresh drum is needed during the sampling run, then obtain a sample from the fresh drum.

4.1.2 When collecting the sample, ground the sample container to the coating drum. Fill the sample container as close to the rim as possible to minimize the amount of headspace.

4.1.3 After the sample is collected, seal the container so the sample cannot leak out or evaporate.

4.1.4 Label the container to identify clearly the contents.

## 4.2 Liquid Sample VOEM Content.

4.2.1 Assemble the liquid VOEM content analysis system as shown in Figure 1.

4.2.2 Permanently identify all of the critical orifices that may be used. Calibrate each critical orifice under the expected operating conditions (i.e., sample vacuum and temperature) against a volume meter as described in Section 5.3.

4.2.3 Label and tare the sample vessels (including the stoppers and caps) and the syringes.

4.2.4 Install an empty sample vessel and perform a leak test of the system. Close the carrier gas valve and atmospheric vent and evacuate the sample vessel to 250 mm (10 in.) Hg absolute or less using the aspirator. Close the toggle valve at the inlet to the aspirator and observe the vacuum for at least one minute. If there is any change in the sample pressure, release the vacuum, adjust or repair the apparatus as necessary and repeat the leak test.

4.2.5 Perform the analyzer calibration and linearity checks according to the procedure in Section 5.1. Record the responses to each of the calibration gases and the back-pressure setting of the FIA.

4.2.6 Establish the appropriate dilution ratio by adjusting the aspirator air supply or substituting critical orifices. Operate the aspirator at a vacuum of at least 25 mm (1 in.) Hg greater than the vacuum necessary to achieve critical flow. Select the dilution ratio so that the maximum response of the FIA to the sample does not exceed the high-range calibration gas.

4.2.7 Perform system calibration checks at two levels by introducing compressed gases at the inlet to the sample vessel while the aspirator and dilution devices are operating. Perform these checks using the carrier gas (zero concentration) and the system calibration gas. If the response to the carrier gas exceeds  $\pm 0.5$  percent of span, clean or repair the apparatus and repeat the check. Adjust the dilution ratio as necessary to achieve the correct response to the upscale check, but do not adjust the analyzer calibration. Record the identification of the orifice, aspirator air supply pressure, FIA back-pressure, and the responses of the FIA to the carrier and system calibration gases.

4.2.8 After completing the above checks, inject the system calibration gas for approximately 10 minutes. Time the exact duration of the gas injection using a stopwatch. Determine the area under the FIA response curve and calculate the system response factor based on the sample gas flow rate, gas concentration, and the duration of the injection as compared to the integrated response using Equations 2 and 3.

4.2.9 Verify that the sample oven and sample line temperatures are 120  $\pm 5^{\circ}\text{C}$  and that the water bath temperature is 100  $\pm 5^{\circ}\text{C}$ .



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4.2.10 Fill a tared syringe with approximately 1 g of the VOEM containing liquid and weigh it. Transfer the liquid to a tared sample vessel. Plug the sample vessel to minimize sample loss. Weigh the sample vessel containing the liquid to determine the amount of sample actually received. Also, as a quality control check, weigh the empty syringe to determine the amount of material delivered. The two coating sample weights should agree within  $\pm 0.02$  g. If not, repeat the procedure until an acceptable sample is obtained.

4.2.11 Connect the vessel to the analysis system. Adjust the aspirator supply pressure to the correct value. Open the valve on the carrier gas supply to the sample vessel and adjust it to provide a slight excess flow to the atmospheric vent. As soon as the initial response of the FIA begins to decrease, immerse the sample vessel in the water bath. (Applying heat to the sample vessel too soon may cause the FID response to exceed the calibrated range of the instrument, and thus invalidate the analysis.)

4.2.12 Continuously measure and record the response of the FIA until all of the volatile material has been evaporated from the sample and the instrument response has returned to the baseline (i.e., response less than 0.5 percent of the span value). Observe the aspirator supply pressure, FIA back-pressure, atmospheric vent, and other system operating parameters during the run; repeat the analysis procedure if any of these parameters deviate from the values established during the system calibration checks in Section 4.2.7. After each sample perform the drift check described in Section 5.2. If the drift check results are acceptable, calculate the VOEM content of the sample using the equations in Section 7. Integrate the area under the FIA response curve, or determine the average concentration response and the duration of sample analysis.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and

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linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. After each sample, repeat the system calibration checks in Section 4.2.7 before any adjustments to the FIA or measurement system are made. If the zero or calibration drift exceeds  $\pm 3$  percent of the span value, discard the result and repeat the analysis.

## 5.3 Critical Orifice Calibration.

5.3.1 Each critical orifice must be calibrated at the specific operating conditions that it will be used. Therefore, assemble all components of the liquid sample analysis system as shown in Figure 3. A stopwatch is also required.

5.3.2 Turn on the sample oven, sample line, and water bath heaters and allow the system to reach the proper operating temperature. Adjust the aspirator to a vacuum of 380 mm (15 in.) Hg vacuum. Measure the time required for one soap bubble to move a known distance and record barometric pressure.

5.3.3 Repeat the calibration procedure at a vacuum of 406 mm (16 in.) Hg and at 25-mm (1-in.) Hg intervals until three consecutive determinations provide the same flow rate. Calculate the critical flow rate for the orifice in ml/min at standard conditions. Record the vacuum necessary to achieve critical flow.

## 6. NOMENCLATURE

$A_L$	=	area under the response curve of the liquid sample, area count- $i$
$A_S$	=	area under the response curve of the calibration gas, area count- $i$
$C_S$	=	actual concentration of system calibration gas, ppm propane- $i$
$K$	=	$1.830 \times 10^{-9} \text{ g}/(\text{ml-ppm})-i$
$L$	=	total VOEM content of liquid input, kg- $i$



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$M_L$  =

mass of liquid sample delivered to the sample vessel, g- $i$

$q$  =

flow rate through critical orifice, ml/min- $i$

$RF$  =

liquid analysis system response factor, g/area count- $i$

$T_s$  =

total gas injection time for system calibration gas during integrator calibration, min- $i$

$V_{Fj}$  =

final VOEM fraction of VOEM containing liquid j- $i$

$V_{0j}$  =

initial VOEM fraction of VOEM containing liquid j- $i$

$V_{Aj}$  =

VOEM fraction of VOEM containing liquid j added during the run- $i$

$V$  =

VOEM fraction of liquid sample- $i$

$W_{Fj}$  =

weight of VOEM containing liquid j remaining at end of the run, kg- $i$

$W_{0j}$  =

weight of VOEM containing liquid j at beginning of the run, kg- $i$

$W_{Aj}$  =

weight of VOEM containing liquid j added during the run, kg.

7. CALCULATIONS

7.1 Total VOEM Content of the Input VOEM Containing Liquid.

$$L = \sum_{j=1}^n V_{0j} W_{0j} + \sum_{j=1}^n V_{Aj} W_{Aj} \quad R \quad \sum_{j=1}^n \quad \text{Eq. 1}$$

7.2 Liquid Sample Analysis System Response Factor for Systems Using Integrators, Grams/Area Counts.

$$RF = \frac{C_s \cdot q \cdot T_s \cdot K}{A_s} \quad \text{Eq. 2}$$

7.3 VOEM Content of the Liquid Sample.

$$V = \frac{A_L \cdot RF}{\quad} \quad \text{Eq. 3}$$

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$M_L$

Procedure T - Criteria for and Verification of a Permanent or Temporary Total Enclosure

1. INTRODUCTION

1.1 Applicability. This procedure is used to determine whether a permanent or temporary enclosure meets the criteria of a total enclosure.

1.2 Principle. An enclosure is evaluated against a set of criteria. If the criteria are met and if all the exhaust gases are ducted to a control device, then the volatile organic compounds (VOEM) capture efficiency (CE) is assumed to be 100 percent and CE need not be measured. However, if part of the exhaust gas stream is not ducted to a control device, CE must be determined.

2. DEFINITIONS

2.1 Natural Draft Opening (NDO) -- Any permanent opening in the enclosure that remains open during operation of the facility emission unit and is not connected to a duct in which a fan is installed.

2.2 Permanent Total Enclosure (PTE) -- A permanently installed enclosure that completely surrounds an source of emissions unit such that all VOEM emissions are captured and contained for discharge through a control device.

2.3 Temporary Total Enclosure (TTE) -- A temporarily installed enclosure that completely surrounds an source of emissions unit such that all VOEM emissions are captured and contained for discharge through ducts that allow for the accurate measurement of VOEM rates.

3. CRITERIA OF A TEMPORARY TOTAL ENCLOSURE

3.1 Any NDO shall be at least 4 equivalent opening diameters from each VOEM emitting point.

3.2 Any exhaust point from the enclosure shall be at least 4 equivalent duct or hood diameters from each NDO.

3.3 The total area of all NDO's shall not exceed 5 percent of the surface area of the enclosure's four walls, floor, and

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ceiling.

3.4 The average facial velocity (FV) of air through all NDO's shall be at least 3,600 m/hr (200 fpm). The direction of air through all NDO's shall be into the enclosure.

3.5 All access doors and windows whose areas are not included in Section 3.3 and are not included in the calculation in Section 3.4 shall be closed during routine operation of the ~~process~~mission unit.

## 4. CRITERIA OF A PERMANENT TOTAL ENCLOSURE

4.1 Same as Sections 3.1 and 3.3 - 3.5.

4.2 All VOCM emissions must be captured and contained for discharge through a control device.

## 5. PROCEDURE

5.1 Determine the equivalent diameters of the NDO's and determine the distances from each VOCM emitting point to all NDO's. Determine the equivalent diameter of each exhaust duct or hood and its distance to all NDO's. Calculate the distances in terms of equivalent diameters. The number of equivalent diameters shall be at least 4.

5.2 Measure the total area ( $A_t$ ) of the enclosure and the total area ( $A_N$ ) of all NDO's of the enclosure. Calculate the NDO to enclosure area ratio (NEAR) as follows:

$$\text{NEAR} = A_N/A_t$$

The NEAR must be  $< 0.05$ .

5.3 Measure the volumetric flow rate, corrected to standard conditions, of each gas stream exiting the enclosure through an exhaust duct or hood using EPA Method 2. In some cases (e.g., when the building is the enclosure), it may be necessary to measure the volumetric flow rate, corrected to standard conditions, of each gas stream entering the enclosure through a forced makeup air duct using Method 2. Calculate FV using the following equation:

$$\text{FV} = [Q_0 - Q_i]/A_N$$

where:

$Q_0$  = the sum of the volumetric flow from all gas streams exiting the enclosure through an exhaust duct or hood.

$Q_i$  = the sum of the volumetric flow from all gas streams into the enclosure through a forced makeup air duct; zero, if there is no forced makeup air into the enclosure.

$A_N$  = total area of all NDO's in enclosure.

The FV shall be at least 3,600 m/hr (200 fpm).

5.4 Verify that the direction of air flow through all NDO's is inward. Use streamers, smoke tubes, tracer gases, etc. Strips of plastic wrapping film have been found to be effective. Monitor the direction of air flow at intervals of at least 10 minutes for at least 1 hour.

## 6. QUALITY ASSURANCE

6.1 The success of this protocol lies in designing the TTE to simulate the conditions that exist without the TTE, i.e., the effect of the TTE on the normal flow patterns around the affected facility~~emission unit~~ or the amount of fugitive VOCM emissions should be minimal. The TTE must enclose the application stations, coating reservoirs, and all areas from the application station to the oven. The oven does not have to be enclosed if it is under negative pressure. The NDO's of the temporary enclosure and a fugitive exhaust fan must be properly sized and placed.

6.2. Estimate the ventilation rate of the TTE that best simulates the conditions that exist without the TTE, i.e., the effect of the TTE on the normal flow patterns around the affected facility~~emission unit~~ or the amount of fugitive VOCM emissions should be minimal. Figure 1 may be used as an aid. Measure the concentration ( $C_0$ ) and flow rate ( $Q_0$ ) of the captured gas stream, specify a safe concentration ( $C_F$ ) for the fugitive gas stream, estimate the CE, and then use the plot in Figure 1 to determine the volumetric flowrate of the fugitive gas stream ( $Q_F$ ). A fugitive VOCM emission exhaust fan that has a variable flow control is desirable.

6.2.1 Monitor the concentration of VOCM into the capture device without the TTE. To minimize the effect of temporal variation on the captured emissions, the baseline measurement should be made over as long a time period as practical. However, the process

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conditions must be the same for the measurement in Section 6.2.3 as they are for this baseline measurement. This may require short measuring times for this quality control check before and after the construction of the TTE.

6.2.2 After the TTE is constructed, monitor the VOEM concentration inside the TTE. This concentration shall not continue to increase and must not exceed the safe level according to OSHA requirements for permissible exposure limits. An increase in VOEM concentration indicates poor TTE design or poor capture efficiency.

6.2.3 Monitor the concentration of VOEM into the capture device with the TTE. To limit the effect of the TTE on the process, the VOEM concentration with and without the TTE must be within  $\pm 10$  percent. If the measurements do not agree, adjust the ventilation rate from the TTE until they agree within 10 percent.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)

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Section 218.Appendix C  
Reference Test Methods and ProceduresFor Air Oxidation Processes  
 Introduction

This Appendix presents the reference methods and procedures required for implementing Reasonably Available Control Technology (RACT). Methods and procedures are identified for two types of RACT implementation:

- a) Determination of VOEM destruction efficiency for evaluating compliance with the 98 weight percent VOEM reduction or 20 ppmv emission limit specified in Sections 215.520 through 215.527; and
- b) Determination of offgas flowrate, hourly emissions and stream net heating value for calculating TRE.

All reference methods identified in this Appendix refer to the reference methods specified at 40 CFR 60, Appendix A, incorporated by reference in Section 215.105.

## VOEM DESTRUCTION EFFICIENCY DETERMINATION

The following reference methods and procedures are required for determining compliance with the percent destruction efficiency specified in Sections 215.520 through 215.527.

- a) Reference Method 1 or 1A for selection of the sampling site.  
 The control device inlet sampling site for determination of vent stream molar composition or total organic compound destruction efficiency shall be prior to the inlet of any control device and after all recovery devices.
- b) Reference Methods 2, 2A, 2C or 2D for determination of the volumetric flowrate.
- c) Reference Method 3 to measure oxygen concentration of the air dilution correction. The emission sample shall be corrected to 3 percent oxygen.
- d) Reference Method 18 to determine the concentration of total organic compounds (minus methane and ethane) in the control device outlet and total organic compound reduction efficiency of the control device.

## TRE DETERMINATION



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The following reference methods and procedures are required for determining the offgas flowrate, hourly emissions, and the net heating value of the gas combusted to calculate the vent stream TRE.

- d) The net heating value of the vent stream shall be calculated using the following equation:

$$H = K \sum_{i=1}^n C_i H_i$$

Where:

H = Net heating value of the sample, MJ/scm, where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of F (vent stream flowrate) below.

K = Constant,  $1.740 \times 10^{-7}$  (1/ppm) (mole/scm) (MJ/kcal) where standard temperature for mole/scm is 20°C.

C<sub>i</sub> = Concentration of sample component i, reported on a wet basis, in ppm, as measured by Reference Method 18 or ASTM D1946-67 (reapproved 1977), incorporated by reference in Section 215.105.

H<sub>i</sub> = Net heat of combustion of sample component i, kcal/mole based on combustion at 25°C and 760 mm Hg. If published values are not available or cannot be calculated, the heats of combustion of vent stream components are required to be determined using ASTM D2382-76, incorporated by reference in Section 215.105.

- e) The emission rate of total organic compounds in the process vent stream shall be calculated using the following equation:

$$E = K \sum_{i=1}^n F_i C_i M_i$$

Where:

E = Emission rate of total organic compounds (minus methane and ethane) in the sample in kg/hr-;

K = Constant  $2.494 \times 10^{-6}$  (1/ppm) (mole/scm) (kg/g) (min/hr), where standard temperature for (mole/scm) is 20°C.

- a) Reference Method 1 or 1A for selection of the sampling site. The sampling site for the vent stream flowrate and molar composition determination prescribed in (b) and (c) shall be prior to the inlet of any combustion device, prior to any post-reactor dilution of the stream with air and prior to any post-reactor introduction of halogenated compounds into the vent stream. Subject to the preceding restrictions on the sampling site, it shall be after the final recovery device. If any gas stream other than the air oxidation vent stream is normally conducted through the recovery system of the affected facility, such stream shall be rerouted or turned off while the vent stream is sampled, but shall be routed normally prior to the measuring of the initial value of the monitored parameters for determining compliance with the recommended RACT. If the air oxidation vent stream is normally routed through any equipment which is not a part of the air oxidation process as defined in 35 Ill. Adm. Code 211.122, such equipment shall be bypassed by the vent stream while the vent stream is sampled, but shall not be bypassed during the measurement of the initial value of the monitored parameters for determining compliance with Subpart V.

- b) The molar composition of the vent stream shall be determined using the following methods:

- 1) Reference Method 18 to measure the concentration of all organics, including those containing halogens, unless a significant portion of the compounds of interest are polymeric (high molecular weight), can polymerize before analysis or have low vapor pressures, in which case Reference Method 25(a) shall be used.
  - 2) ASTM D1946-67 (reapproved 1977), incorporated by reference in Section 215.105, to measure the concentration of carbon monoxide and hydrogen.
  - 3) Reference Method 4 to measure the content of water vapor, if necessary.
- c) The volumetric flowrate shall be determined using Reference Method 2, 2A, 2C or 2D, as appropriate.

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- Mi = Molecular weight of sample component i (g/mole);  
 F = Vent stream flowrate (scm/min), at a standard temperature of 20°C.

f) The total vent stream concentration (by volume) of compounds containing halogens (ppmv, by compound) shall be summed from the individual concentrations of compounds containing halogens which were measured by Reference Method 18.

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993.)

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Section 218. Appendix D  
 Coefficients for the Total Resource Effectiveness Index (TRE)  
 Equation

This Appendix contains values for the total resource effectiveness index (TRE) equation in Subpart V.

If a flow rate falls exactly on the boundary between the indicated ranges, the operator shall use the row in which the flow rate is maximum.

COEFFICIENTS FOR TRE EQUATION FOR CHLORINATED PROCESS  
 VENT STREAMS WITH  
 NET HEATING VALUE LESS THAN OR EQUAL TO 3.5 MJ/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.0	13.5	48.73	0.	0.404	-0.1632	0.	0.
13.5	700.	42.35	0.624	0.404	-0.1632	0.	0.0245
700.	1400.	84.38	0.678	0.404	-0.1632	0.	0.0346
1400.	2100.	126.41	0.712	0.404	-0.1632	0.	0.0424
2100.	2800.	168.44	0.747	0.404	-0.1632	0.	0.0490
2800.	3500.	210.47	0.758	0.404	-0.1632	0.	0.0548

COEFFICIENTS FOR TRE EQUATION FOR CHLORINATED PROCESS  
 VENT STREAMS WITH  
 NET HEATING VALUE GREATER THAN 3.5 MJ/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.	13.5	47.76	0.	-0.292	0.	0.	0.
13.5	700.	41.58	0.605	-0.292	0.	0.	0.0245
700.	1400.	82.84	0.658	-0.292	0.	0.	0.0346
1400.	2100.	123.10	0.691	-0.292	0.	0.	0.0424
2100.	2800.	165.36	0.715	-0.292	0.	0.	0.0490
2800.	3500.	206.62	0.734	-0.292	0.	0.	0.0548

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS  
 VENT STREAMS WITH  
 NET HEATING VALUE LESS THAN OR EQUAL TO 0.48 MJ/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.	13.5	19.05	0.	0.113	-0.214	0.	0.

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- 1) **Heading of Part:** Organic Material Emission Standards and Limitations for the Metro East Area
- 2) **Code Citation:** 35 Ill. Adm. Code 219
- 3) **Section Numbers:**

219.100	Adopted Action:
219.101	Amended
219.102	Repealed, Adopted
219.106	Amended
219.107	Amended
219.110	Amended
219.111	Amended
219.121	Amended
219.122	Amended
219.124	Amended
219.125	Repealed
219.141	Amended
219.143	Amended
219.181	Amended
219.182	Amended
219.184	Repealed
219.185	Amended
219.186	Amended
219.204	Amended
219.206	Amended
219.207	Amended
219.208	Amended
219.209	Amended
219.210	Amended
219.211	Amended
219.301	Amended
219.302	Amended
219.303	Amended
219.304	Amended
219.401	Amended
219.402	Amended
219.403	Amended
219.404	Amended
219.405	Amended
219.421	Amended
219.422	Amended
219.423	Amended
219.424	Amended
219.425	Amended
219.426	Amended
219.427	Repealed
219.430	Amended
219.441	Amended
219.443	Amended
219.446	Amended
219.447	Amended
219.449	Amended
219.450	Amended
219.452	Repealed
219.453	Amended
219.461	Amended
219.462	Amended
219.463	Amended
219.464	Repealed
219.465	Amended
219.466	Amended
219.480	Amended
219.481	Amended
219.483	Amended
219.485	Amended
219.489	Repealed
219.521	Amended
219.525	Repealed
219.527	Amended
219.541	Amended
219.541	Amended
219.562	Amended
219.581	Amended
219.582	Amended
219.583	Amended
219.584	Amended
219.585	Amended
219.586	Amended
219.601	Amended
219.602	Amended
219.603	Repealed
219.604	Amended
219.605	Amended
219.606	Amended
219.608	Amended
219.609	Amended
219.610	Amended

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13.5	1350.	16.61	0.239	0.113	-0.214	0.	0.0245
1350.	2700.	32.91	0.260	0.113	-0.214	0.	0.0346
2700.	4050.	49.21	0.273	0.113	-0.214	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS

VENT STREAMS  
WITH NET HEATING VALUE GREATER THAN 0.48 AND LESS THAN OR  
EQUAL TO 1.9 MJ/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.	13.5	19.74	0.	0.400	-0.202	0.	0.
13.5	1350.	18.30	0.138	0.400	-0.202	0.	0.0245
1350.	2700.	36.28	0.150	0.400	-0.202	0.	0.0346
2700.	4050.	54.26	0.158	0.400	-0.202	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS

VENT STREAMS  
WITH NET HEATING VALUE GREATER THAN 1.9 AND LESS THAN OR  
EQUAL TO 3.6 MJ/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.	13.5	15.24	0.	0.033	0.	0.	0.
13.5	1190.	13.63	0.157	0.033	0.	0.	0.0245
1190.	2380.	26.95	0.171	0.033	0.	0.	0.0346
2380.	3570.	40.27	0.179	0.033	0.	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS

VENT STREAMS WITH  
NET HEATING VALUE GREATER THAN 3.6 MG/scm

FLOW RATE (scm/min)							
Min.	Max.	a	b	c	d	e	f
0.	13.5	15.24	0.	0.	0.0090	0.	0.
13.5	1190.	13.63	0.	0.	0.0090	0.0503	0.0245
1190.	2380.	26.95	0.	0.	0.0090	0.0546	0.0346
2380.	3570.	40.27	0.	0.	0.0090	0.0573	0.0424

(Source: Amended at 17 Ill. Reg. 16636, effective September 27, 1993)



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219.611	Amended
219.612, 219.613	Repealed
219.620, 219.621, 219.623	Amended
219.624, 219.628, 219.636	Amended
219.637	Amended
219.640	Renumbered, Amended
219.642	Renumbered
219.644	Renumbered, Amended
219.875, 219.877	Renumbered
219.879, 219.881, 219.883	Repealed
219.886	Renumbered
219.920, 219.923, 219.926	Amended
219.927, 219.928, 219.940	Amended
219.943, 219.946, 219.947	Amended
219.948, 219.960, 219.963	Amended
219.966, 219.967, 219.968	Amended
219.980, 219.983, 219.986	Amended
219.987, 219.988, 219.990	Amended
219.991	Amended
219.Appendix A	Amended
219.Appendix B	Amended
219.Appendix C	Amended
219.Appendix D	Amended

- 4) Statutory Authority: 415 ILCS 5/9, 10, 27 and 28.5.
- 5) Effective Date of Amendments:  
Section 219.586 is effective on October 21, 1993 all other sections have an effective date of September 27, 1993
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date filed in Board's principal office: September 9, 1993
- 9) Notice of Proposal Published in Illinois Register:  
17 Ill. Reg. 5169, April 9, 1993  
A correction to the proposed rules, adding some pages of the proposal that were omitted from the initial publication, was published in the Illinois Register on April 23, 1993, at 17 Ill. Reg. 6539 (part 219).
- 10) Has JCAR issued a Statement of Objections to these rules?  
No.

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- 11) Differences between proposal and final version:  
Section 219.101 - deleted "compliance with" and capitalized "all".  
Section 219.105 - "and USEPA" was deleted in Sections 219.105(d)(3)(A) and 219.105(d)(3)(D).  
Section 219.105(c)(1)(B) - deleted subsection (ii) and renumbered remaining subsections.  
Section 219.123 - deleted subsection (c).  
Section 219.211(c)(2) - removed strike through from "coating line".  
Section 219.405(a)(1)(a) - added "including solvents for cleanup operations associated with the heatset-web-offset lithographic printing line(s)".  
Section 219.429 - added citations for BIF and RCRA.  
Section 219.586 - added Board note and effective date.  
Sections 219.926(c), 219.946(c), 219.966(b) and 219.986(c) - deleted "approved by" and added "in a federally enforceable permit".  
Section 219.920 - added subsection (f).  
Section 219.940 - added subsection (f).  
Section 219.960 - added subsection (f).  
Section 219.980(e) - changed "sources" to "units", added "and not including" and deleted reference to Subparts QQ, RR and PP.  
Section 219.966 - added "next" before process unit and a compliance date of March 15, 1995.  
Section 219.986 - added "next" before process unit and a compliance date of March 15, 1995.  
  
In addition non-substantive changes were made to correct typing errors and omissions and to conform with the text on file.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?
- 13) Will this amendments replace an emergency rule currently in effect? No. An emergency rule is currently in effect on Section 219.586. The effective date of the amendments to this section is October 21, 1993 which is after the emergency rule will have expired.
- 14) Are there any other amendments pending on this part? no

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- 15) Summary and Purpose of Amendments: A more detailed description is contained in the Board's opinion of September 29, 1993 in R93-9, which opinion is available from the address below. The proposed rule is part of a plan to meet the State's obligation to provide for a federally approvable State Implementation Plan that includes corrections to existing reasonably available control technology rules controlling emissions of volatile organic material in the nonattainment areas as required by the Clean Air Act Amendments of 1990.

- 16) Information and questions regarding this adopted amendments shall be directed to:

Diane F. O'Neill  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6062

The full text of the adopted amendments begins on the next page:

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 219

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS  
FOR THE METRO EAST AREA

## SUBPART A: GENERAL PROVISIONS

Section	
219.100	Introduction
219.101	<del>Clean-up and Disposal</del> <u>Operation</u> <del>Savings Clause</del>
219.102	Abbreviations and Conversion Factors
219.103	Applicability
219.104	Definitions
219.105	Test Methods and Procedures
219.106	Compliance Dates
219.107	Operation of Afterburners
219.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
219.109	Vapor Pressure of Volatile Organic Liquids
219.110	Vapor Pressure of Organic Material or Solvent
219.111	Vapor Pressure of Volatile Organic Material
219.112	Incorporations by Reference
219.113	Monitoring for Negligibly-Reactive Compounds

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
219.121	Storage Containers
219.122	Loading Operations
219.123	Petroleum Liquid Storage Tanks
219.124	External Floating Roofs
219.125	Compliance Dates <u>(Repealed)</u>
219.126	Compliance Plan <u>(Repealed)</u>

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	
219.141	Separation Operations
219.142	Pumps and Compressors
219.143	Vapor Blowdown
219.144	Safety Relief Valves

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219.426 Report for Leaks  
219.427 Alternative Program for Leaks  
219.428 Open-Ended Valves  
219.429 Standards for Control Devices  
219.430 Compliance Date (Repealed)

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES;  
ASPHALT MATERIALS

Section  
219.441 Petroleum Refinery Waste Gas Disposal  
219.442 Vacuum Producing Systems  
219.443 Wastewater (Oil/Water) Separator  
219.444 Process Unit Turnarounds  
219.445 Leaks: General Requirements  
219.446 Monitoring Program Plan for Leaks  
219.447 Monitoring Program for Leaks  
219.448 Recordkeeping for Leaks  
219.449 Reporting for Leaks  
219.450 Alternative Program for Leaks  
219.451 Sealing Device Requirements  
219.452 Compliance Schedule for Leaks  
219.453 Compliance Dates (Repealed)

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section  
219.461 Manufacture of Pneumatic Rubber Tires  
219.462 Green Tire Spraying Operations  
219.463 Alternative Emission Reduction Systems  
219.464 ~~Testing and Monitoring~~ Emission Testing  
219.465 Compliance Dates (Repealed)  
219.466 Compliance Plan (Repealed)

SUBPART T: PHARMACEUTICAL MANUFACTURING

Section  
219.480 Applicability  
219.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers  
219.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters  
219.483 Material Storage and Transfer

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SUBPART E: SOLVENT CLEANING

Section  
219.181 Solvent Cleaning in General  
219.182 Cold Cleaning  
219.183 Open Top Vapor Degreasing  
219.184 Conveyorized Degreasing  
219.185 Compliance Schedule (Repealed)  
219.186 Test Methods

SUBPART F: COATING OPERATIONS

Section  
219.204 ~~Emission Limitations for Manufacturing Plants~~  
219.205 Daily-Weighted Average Limitations  
219.206 Solids Basis Calculation  
219.207 Alternative Emission Limitations  
219.208 Exemptions From Emission Limitations  
219.209 Exemption From General Rule on Use of Organic Material  
219.210 Compliance Schedule  
219.211 Recordkeeping and Reporting

SUBPART G: USE OF ORGANIC MATERIAL

Section  
219.301 Use of Organic Material  
219.302 Alternative Standard  
219.303 Fuel Combustion Emission ~~Source~~ Units  
219.304 Operations with Compliance Program

SUBPART H: PRINTING AND PUBLISHING

Section  
219.401 Flexographic and Rotogravure Printing  
219.402 Applicability  
219.403 Compliance Schedule  
219.404 Recordkeeping and Reporting  
219.405 Heatset-Web-Offset Lithographic Printing

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER  
MANUFACTURING ~~EQUIPMENT~~ PLANT

Section  
219.421 General Requirements  
219.422 Inspection Program Plan for Leaks  
219.423 Inspection Program for Leaks  
219.424 Repairing Leaks  
219.425 Recordkeeping for Leaks



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219.484 In-Process Tanks  
 219.485 Leaks  
 219.486 Other Emission Sources Units  
 219.487 Testing  
 219.488 Monitoring and Recordkeeping for Air Pollution Control Equipment  
 219.489 Recordkeeping for Air Pollution Control Equipment

## SUBPART V: AIR OXIDATION PROCESSES

Section  
 219.521 Definitions (Repealed)  
 219.525 Emission Limitations for Air Oxidation Processes  
 219.526 Testing and Monitoring  
 219.527 Compliance Date (Repealed)

## SUBPART W: AGRICULTURE

Section  
 219.541 Pesticide Exception

## SUBPART X: CONSTRUCTION

Section  
 219.561 Architectural Coatings  
 219.562 Paving Operations  
 219.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
 219.581 Bulk Gasoline Plants  
 219.582 Bulk Gasoline Terminals  
 219.583 Gasoline Dispensing Facilities - Storage Tank Filling Operations  
 219.584 Gasoline Delivery Vessels  
 219.585 Gasoline Volatility Standards  
 219.586 Gasoline Dispensing Facilities Operations - Motor Vehicle Fueling Operations

## SUBPART Z: DRY CLEANERS

Section  
 219.601 Perchloroethylene Dry Cleaners  
 219.602 Exemptions  
 219.603 Leaks  
 219.604 Compliance Dates (Repealed)

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219.605 Compliance Plan (Repealed)  
 219.606 Exception to Compliance Plan (Repealed)  
 219.607 Standards for Petroleum Solvent Dry Cleaners  
 219.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 219.609 Program for Inspection and Repair of Leaks  
 219.610 Testing and Monitoring  
 219.611 Exemption for Petroleum Solvent Dry Cleaners  
 219.612 Compliance Dates (Repealed)  
 219.613 Compliance Plan (Repealed)

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 219.620 Applicability  
 219.621 Exemption for Waterbase Material and Heatset-Offset Ink  
 219.623 Permit Conditions  
 219.624 Open-~~to~~Top Mills, Tanks, Vats or Vessels  
 219.625 Grinding Mills  
 219.626 Storage Tanks  
 219.628 Leaks  
 219.630 Clean Up  
 219.636 Compliance Schedule  
 219.637 Recordkeeping and Reporting

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 219.640 Applicability ~~of Subpart BB~~  
 219.642 Emissions Limitation at Polystyrene Plants  
 219.644 Emissions Testing  
 219.675 Applicability of Subpart BB (Renumbered)  
 219.877 Emissions Limitation at Polystyrene Plants (Renumbered)  
 219.879 Compliance Date (Repealed)  
 219.881 Compliance Plan (Repealed)  
 219.883 Special Requirements for Compliance Plan (Repealed)  
 219.886 Emissions Testing (Renumbered)

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section  
 219.920 Applicability  
 219.923 Permit Conditions  
 219.926 Control Requirements  
 219.927 Compliance Schedule  
 219.928 Testing

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## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

## Section

219.940 Applicability  
219.943 Permit Conditions  
219.946 Control Requirements  
219.947 Compliance Schedule  
219.948 Testing

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

## Section

219.960 Applicability  
219.963 Permit Conditions  
219.966 Control Requirements  
219.967 Compliance Schedule  
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## SUBPART TT: OTHER EMISSION SOURCES UNITS

## Section

219.980 Applicability  
219.983 Permit Conditions  
219.986 Control Requirements  
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## SUBPART UU: RECORDKEEPING AND REPORTING FOR NON-CTG SOURCES

## Section

219.990 Exempt Emission Sources Units  
219.991 Subject Emission Sources Units

Section 219. Appendix A: List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing

Section 219. Appendix B: VOM Measurement Techniques for Capture Efficiency

Section 219. Appendix C: Reference Test Methods and Procedures For Air Oxidation Processes

Section 219. Appendix D: Coefficients for the Total Resource Effectiveness Index (TRE) Equation

**AUTHORITY:** Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, par. 1010) (P.A. 87-1213, effective September 26, 1992) [415

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## ILCS 5/10 and 28.5].

**SOURCE:** Adopted at R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days, amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993.

## SUBPART A: GENERAL PROVISIONS

## Section 219.100 Introduction

a) This Part contains standards and limitations for emissions of organic material and volatile organic material from stationary sources located in the Metro-East area, which is comprised of Madison, Monroe, and St. Clair Counties.

b) Sources subject to this Part may be subject to the following:

- 1) Permits required under 35 Ill. Adm. Code 201+ and
- 2) Air quality standards under 35 Ill. Adm. Code 2437+.

c) This Part is divided into Subparts which are grouped as follows:

- 1) Subpart A: General Provisions;
- 2) Subparts B-F: Emissions from equipment and operations in common to more than one industry;
- 3) Subpart G: Emissions from use of organic material;
- 4) Subparts H-RR: Special Rules for various industry groups.
- 5) Subpart TT: Rules for emission units not otherwise addressed.
- 6) Subpart UU: Recordkeeping and reporting for equipment and operation addressed by Subparts PP, QQ, RR and TT.

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{Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1999}

## Section 219.101 Cleanup and Disposal Operations Savings Clause

**Emission of organic material released during clean-up operations and disposal shall be included with other emissions of organic material from the related emission source or air pollution control equipment in determining total emissions.**

**Every owner or operator of an emission unit formerly subject to 35 Ill. Adm. Code 215 shall have complied with its standards and limitations by the dates and schedules applicable to the emission unit in accordance with Part 215 or upon initial start-up. All compliance dates or schedules found in Part 215 are not superseded by this Part and remain in full force and effect.**

{Source: Section repealed, new Section added at 17 Ill. Reg. 16918, effective September 27, 1993}

## Section 219.102 Abbreviations and Conversion Factors

## a) The following abbreviations are used in this Part:

ASTM	American Society for Testing and Materials
bbt	barrels (42 gallons)
°C	degrees Celsius or centigrade
cm	centimeters
cu-in	cubic inches
°F	degrees Fahrenheit
FIP	Federal Implementation Plan
ft	feet
ft <sup>2</sup>	square feet
g	grams
gpm	gallons per minute
g/mole	grams per mole
gal	gallons
hr	hours
in	inches
°K	degrees Kelvin
kcal	kilocalories
kg	kilograms
kg/hr	kilograms per hour
kPa	kilopascals; one thousand newtons per square meter
l	liters
l/sec	liters per second

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lbs	pounds
lbs/hr	pounds per hour
lbs/gal	pounds per gallon
LEL	lower explosive limit
m	meters
m <sup>2</sup>	square meters
m <sup>3</sup>	cubic meters
mg	milligrams
Mg	Megagrams, metric tons or tonnes
ml	milliliters
min	minutes
MJ	Megajoules
mm-Hg	millimeters of mercury
ppm	parts per million
ppmv	parts per million by volume
psi	pounds per square inch
psia	pounds per square inch absolute
psig	pounds per square inch gauge
scf	standard cubic feet
scm	standard cubic meters
sec	seconds
SIP	State Implementation Plan
TTE	temporary total enclosure
sq-em	square centimeters
sq-in	square inches
°	English ton
ton	English ton
USEPA	United States Environmental Protection Agency
VOG	volatile organic compounds
VOB	volatile organic liquids
VOM	volatile organic materials

## b) The following conversion factors are used in this Part:

English	Metric
1-gal	3.785-l
1,000-gal	3,785-l or 3.785-m <sup>3</sup>
1-psia	6.897-kPa (51.71-mm-Hg)
2,205-lbs	1-Kg
1-bbl	159.0-l
1-cu-in	16.39-ml
1-lb/gal	119,800-mg/l
1-ton	0.907-Mg
1-T	0.907-Mg

The abbreviations and conversion factors of 35 Ill. Adm. Code 211



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apply to this Part.

(Source: Amended at 17 Ill. Reg. 16918 effective September 27, 1993)

## Section 219.104 Definitions

The following terms are defined for the purpose of this Part.

"Acetacota" means a pharmaceutical coating operation which consists of a horizontally rotating perforated drum in which tablets are placed, a coating is applied by spraying, and the coating is dried by the flow of air across the drum through the perforations.

"Accumulator" means the reservoir of a condensing unit receiving the condensate from a surface condenser.

"Acid Gases" means for the purposes of Section 9.4 of the Environmental Protection Act (the Act) (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1009.4), hydrogen chloride, hydrogen fluoride and hydrogen bromide, which exist as gases, liquid mist, or any combination thereof.

"Actual emissions" means the actual quantity of VOM emissions from an emission source during a particular time period.

"Actual Heat Input" means the quantity of heat produced by the combustion of fuel using the gross heating value of the fuel.

"Adhesive" means any substance or mixture of substances intended to serve as a joining compound.

"Afterburner" means a control device in which materials in gaseous effluent are combusted.

"Air contaminant" means any solid, liquid, or gaseous matter, any odor, or any form of energy, that is capable of being released into the atmosphere from an emission source.

"Air dried coatings" means any coatings that dry by use of air or forced air at temperatures up to 363.15K (194°F).

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"Air pollution" means the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

"Air pollution control equipment" means any equipment or facility of a type intended to eliminate, prevent, reduce or control the emission of specified air contaminants to the atmosphere.

"Air suspension coater/dryer" means a pharmaceutical coating operation which consists of vertical chambers in which tablets or particles are placed, and a coating is applied and then dried while the tablets or particles are kept in a fluidized state by the passage of air upward through the chambers.

"Airless spray" means a spray coating method in which the coating is atomized by forcing it through a small opening at high pressure. The coating liquid is not mixed with air before exiting from the nozzle.

"Air-assisted airless spray" means a spray coating method which combines compressed air with hydraulic pressure to atomize the coating material into finer droplets than is achieved with pure airless spray. Lower hydraulic pressure is used than with airless spray.

"Allowable emissions" means the quantity of VOM emissions during a particular time period from a stationary source calculated using the maximum rated capacity of the source (unless restricted by federally enforceable limitations on operating rate, hours of operation, or both) and the most stringent of: the applicable standards in 40 CFR Parts 60 and 61; the applicable implementation plan; or a federally enforceable permit.

"Ambient air quality standards" means those standards designed to protect the public health and welfare codified in 40 CFR Part 50 and promulgated from time to time by the US EPA pursuant to authority contained in Section 108 of the Clean Air Act, 42 U.S.C. 7401 et seq., as amended from time to time.

"Applicator" means a device used in a coating line to

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~~apply coating.~~

~~"As applied" means the exact formulation of a coating during application on or impregnation into a substrate.~~

~~"Architectural Coating" means any coating used for residential or commercial buildings or their appurtenances, or for industrial buildings, which is site applied.~~

~~"Asphalt" means the dark brown to black cementitious material (solid, semisolid, or liquid in consistency) of which the main constituents are bitumens which occur naturally or as a residue of petroleum refining.~~

~~"Asphalt Prime Coat" means a low viscosity liquid asphalt applied to an absorbent surface as the first of more than one asphalt coat.~~

~~"Automobile" means a motor vehicle capable of carrying no more than 12 passengers.~~

~~"Automobile or light duty truck assembly plant" means a facility where parts are assembled or finished for eventual inclusion into a finished automobile or light duty truck ready for sale to vehicle dealers, but not including customers, body shops, and other repairers.~~

~~"Automobile or light duty truck refinishing" means the repainting of used automobiles and light duty trucks.~~

~~"Baked coatings" means any coating which is cured or dried in an oven where the oven air temperature exceeds 90°C (194°F).~~

~~"Batch Loading" means the process of loading a number of individual parts at the same time for degreasing.~~

~~"Bead-Dipping" means the dipping of an assembled tire bead into a solvent-based cement.~~

~~"Binders" means organic materials and resins which do not contain VOM.~~

~~"Bituminous coatings" means black or brownish coating materials which are soluble in carbon disulfide, which~~

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~~consist mainly of hydrocarbons, and which are obtained from natural deposits or as residues from the distillation of crude oils or of low grades of coal.~~

~~"British Thermal Unit" means the quantity of heat required to raise one pound of water from 60°F to 61°F (abbreviated btu).~~

~~"Brush or wipe coating" means a manual method of applying a coating using a brush, cloth, or similar object.~~

~~"Bulk gasoline plant" means a gasoline storage and distribution facility with an average throughput of 76,000-l (20,000 gal) or less on a 30-day rolling average that distributes gasoline to gasoline dispensing facilities.~~

~~"Bulk Gasoline Terminal" means any gasoline storage and distribution facility that receives gasoline by pipeline, ship or barge, and distributes gasoline to bulk gasoline plants or gasoline dispensing facilities.~~

~~"Can" means any metal container, with or without a top, cover, spout or handles, into which solid or liquid materials are packaged.~~

~~"Can coating" means any coating applied on a single walled container that is manufactured from metal sheets thinner than 29 gauge (0.0141 in.).~~

~~"Can coating" means a facility that includes one or more can coating line(s).~~

~~"Can coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of cans or can components.~~

~~"Capture" means the containment or recovery of emissions from a process for direction into a duct which may be exhausted through a stack or vent to a control device. The overall abatement of emissions from a process with an add-on control device is a function both of the capture efficiency and of the control device.~~

~~"Capture device" means a hood, enclosed room, floor sweep or other means of collecting solvent or other pollutants into a duct. The pollutant can then be directed to a~~



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pollution control device such as an afterburner or carbon adsorber. Sometimes the term is used loosely to include the control device.

"Capture efficiency" means the fraction of all VOM generated by a process that are directed to an abatement or recovery device.

"Capture system" means all equipment (including, but not limited to, hoods, ducts, fans, ovens, dryers, etc.) used to contain, collect and transport an air pollutant to a control device.

"Clean Air Act" means the Clean Air Act of 1963, as amended, including the Clean Air Act Amendments of 1977 (42 U.S.C. 7401 et seq.), and the Clean Air Act Amendments of 1990, (P.L. 101-549).

"Clear coating" means coatings that lack color and opacity or are transparent using the undercoat as a reflectant base or undertone color.

"Clear topecoat" means the final coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film.

"Closed Purge System" means a system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow inducing devices that transport liquid or vapor from a piece or pieces of equipment to a control device, or return the liquid or vapor to the process line.

"Closed vent system" means a system that is not open to the atmosphere and is composed of piping, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission source to a control device.

"Coating" means a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, adhesives, thinners, diluents, and inks.

"Coating applicator" means equipment used to apply a coating.

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"Coating line" means an operation consisting of a series of one or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein a surface coating is applied, dried, or cured. (It is not necessary for an operation to have an oven, or flash-off area, or drying area to be included in this definition.)

"Coating plant" means any plant that contains one or more coating line(s).

"Coil" means any flat metal sheet or strip that is rolled or wound in concentric rings.

"Coil coating" means any coating applied on any flat metal sheet or strip that comes in rolls or coils.

"Coil coating facility" means a facility that includes one or more coil coating line(s).

"Coil coating line" means a coating line in which any protective, decorative or functional coating is applied onto the surface of flat metal sheets, strips, rolls, or coils for industrial or commercial use.

"Cold cleaning" means the process of cleaning and removing soils from surfaces by spraying, brushing, flushing, or immersion while maintaining the organic solvent below its boiling point. Wipe cleaning is not included in this definition.

"Complete Combustion" means a process in which all carbon contained in a fuel or gas stream is converted to carbon dioxide.

"Component" means, with respect to synthetic organic chemical and polymer manufacturing equipment, and petroleum refining and related industries, any piece of equipment which has the potential to leak VOM including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains, and open ended pipes. This definition excludes valves which are not externally regulated, flanges, and equipment in heavy liquid service. For purposes of Subpart Q of this part, this definition also excludes bleed ports of gear pumps in polymer service.



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"Concrete-curing compounds" means any coating applied to freshly poured concrete to retard the evaporation of water.

"Condensate" means volatile organic liquid separated from its associated gases, which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

"Continuous process" means, with respect to polystyrene resin, a method of manufacture in which the styrene raw material is delivered on a continuous basis to the reactor in which the styrene is polymerized to polystyrene.

"Control device" means equipment (such as an afterburner or adsorber) used to remove or prevent the emission of air pollutants from a contaminated exhaust stream.

"Control device efficiency" means the ratio of the pollution prevented by a control device and the pollution introduced to the control device, expressed as a percentage.

"Conveyorized degreasing" means the continuous process of cleaning and removing soils from surfaces utilizing either cold or vaporized solvents.

"Crude oil" means a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen, or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

"Crude oil gathering" means the transportation of crude oil or condensate after custody transfer between a production facility and a reception point.

"Custody transfer" means the transfer of produced petroleum and/or condensate after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

"Cutback Asphalt" means any asphalt which has been liquified by blending with petroleum solvents other than residual fuel oil and has not been emulsified with water.

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"Daily-weighted average VOM content" means the average VOM content of two or more coatings as applied on a coating line during any day, taking into account the fraction of total coating volume that each coating represents, as calculated with the following equation:

$$VOM_w = \left[ \sum_{i=1}^n V_i C_i \right] / V_T$$

where:

$VOM_w$  = The average VOM content of two or more coatings as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM),

$n$  = The number of different coatings as applied each day on a coating line,

$V_i$  = The volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on a coating line in units of l (gal),

$C_i$  = The VOM content of each coating as applied each day on a coating line in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM), and

$V_T$  = The total volume of all coatings (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on a coating line in units of l (gal).

"Day" means the consecutive 24 hours beginning at 12:00 AM (midnight) local time.

"Degreaser" means any equipment or system used in solvent cleaning.

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"Delivery vessel" means any tank truck or trailer equipped with a storage tank that is used for the transport of gasoline to a stationary storage tank at a gasoline dispensing facility, bulk gasoline plant, or bulk gasoline terminal.

"Dip coating" means a method of applying coatings in which the part is submerged in a tank filled with the coating.

"Distillate Fuel Oil" means fuel oils of grade No. 1 or 2 as specified in detailed requirements for fuel oil ASTM D-369-69 (1971).

"Dry Cleaning Facility" means a facility engaged in the cleaning of fabrics using an essentially nonaqueous solvent by means of one or more solvent washes, extraction of excess solvent by spinning and drying by tumbling in an airstream. The facility includes, but is not limited to, washers, dryers, filter and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

"Effluent Water Separator" means any tank, box, sump or other apparatus in which any organic material floating on or entrained or contained in water entering such tank, box, sump or other apparatus is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

"Electrostatic bell or disc spray" means an electrostatic spray coating method in which a rapidly spinning bell or disc shaped applicator is used to create a fine mist and apply the coating with high transfer efficiency.

"Electrostatic spray" means a spray coating method in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the object due to the electrostatic potential between them.

"Emission Rate" means total quantity of any air contaminant discharge into the atmosphere in any one-hour period.

"Emission source" and "source" mean any facility from which VOM is emitted or capable of being emitted into the

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atmosphere.

"Enamel" means a coating that cures by chemical cross-linking of its base resin. Enamels can be distinguished from lacquers because enamels are not readily resolvable in their original solvent.

"Enclose" means to cover any VOL surface that is exposed to the atmosphere.

"End sealing compound coat" means a compound applied to can ends which functions as a gasket when the end is assembled onto the can.

"Excess Air" means air supplied in addition to the theoretical quantity necessary for complete combustion of all fuel and/or combustible waste material.

"Excessive release" means a discharge of more than 295-g (0.65 lbs) of mercaptans and/or hydrogen sulfide into the atmosphere in any 5-minute period.

"Exterior base coat" means a coating applied to the exterior of a can body, or flat sheet to provide protection to the metal or to provide background for any lithographic or printing operation.

"Exterior end coat" means a coating applied to the exterior end of a can to provide protection to the metal.

"External floating roof" means a cover over an open top storage tank consisting of a double deck or pontoon single deck which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

"Extreme environmental conditions" means exposure to any or all of the following: ambient weather conditions, temperatures consistently above 95°C (203°F), detergents, abrasive and scouring agents, solvents, or corrosive atmospheres.

"Extreme performance coating" means any coating which during intended use is exposed to extreme environmental conditions.



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"Fabric coating" means any coating applied on textile fabric. Fabric coating includes the application of coatings by impregnation.

"Fabric coating facility" means a facility that includes one or more fabric coating lines.

"Fabric coating line" means a coating line in which any protective, decorative, or functional coating or reinforcing material is applied on or impregnated into a textile fabric.

"Federally enforceable" means all limitations and conditions which are enforceable by the Administrator including those requirements developed pursuant to 40 CFR parts 60 and 61, requirements within any applicable implementation plan, and any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Part 51 Subpart I and 40 CFR 51.166.

"Final repair coat" means the repainting of any topcoat which is damaged during vehicle assembly.

"Firebox" means the chamber or compartment of a boiler or furnace in which materials are burned, but not the combustion chamber or afterburner of an incinerator.

"Fixed roof tank" means a cylindrical shell with a permanently affixed roof.

"Flexographic printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of elastomeric materials.

"Flexographic printing line" means a printing line in which each roll printer uses a roll with raised areas for applying an image such as words, designs, or pictures to a substrate. The image carrier on the roll is made of rubber or other elastomeric material.

"Floating roof" means a roof on a stationary tank, reservoir, or other container which moves vertically upon change in volume of the stored material.

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"Fountain solution" means the solution which is applied to the image plate to maintain hydrophilic properties of the non-image areas.

"Freeboard Height" means for open top vapor degreasers, the distance from the top of the vapor zone to the top of the degreaser tank. For cold cleaning degreasers, the distance from the solvent to the top of the degreaser tank.

"Fuel combustion emission source" means any furnace, boiler, or similar equipment used for the primary purpose of producing heat or power by indirect heat transfer.

"Fuel gas system" means a system for collection of refinery fuel gas including, but not limited to, piping for collecting tail gas from various process units, mixing drums and controls, and distribution piping.

"Gas service" means that the component contains process fluid that is in the gaseous state at operating conditions.

"Gas/gas method" means either of two methods for determining capture which rely only on gas phase measurements. The first method requires construction of a temporary total enclosure (TTE) to ensure that all would-be fugitive emissions are measured. The second method uses the building or room which houses the facility as an enclosure. The second method requires that all other VOC sources within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

"Gasoline" means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kPa or greater which is used as a fuel for internal combustion engines.

"Gasoline dispensing facility" means any site where gasoline is transferred from a stationary storage tank to a motor vehicle gasoline tank used to provide fuel to the engine of that motor vehicle.

"Green Tire Spraying" means the spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent



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the tire from sticking to the mold after curing.

"Green Tires" means assembled tires before molding and curing have occurred.

"Gross vehicle weight" means the manufacturer's gross weight rating for the individual vehicle.

"Gross vehicle weight rating" means the value specified by the manufacturer as the maximum design loaded weight of a single vehicle.

"Heated airless spray" means an airless spray coating method in which the coating is heated just prior to application.

"Heatset" means a class of web-offset lithography which requires a heated dryer to solidify the printing inks.

"Heatset web-offset lithographic printing line" means a lithographic printing line in which a blanket cylinder is used to transfer ink from a plate cylinder to a substrate continuously fed from a roll or an extension process and an oven is used to solidify the printing inks.

"Heavy liquid" means liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3°K (70°F) established in a standard reference text or as determined by ASTM method D2879-86 (incorporated by reference in Section 219.112); or which has 0.1 Reid Vapor Pressure as determined by ASTM method D323-82 (incorporated by reference in Section 219.112); or which when distilled requires a temperature of 421.95°K (300°F) or greater to recover 10 percent of the liquid as determined by ASTM method D86-82 (incorporated by reference in Section 219.112).

"Heavy off-highway vehicle products" means, for the purpose of Subpart F of this Part, heavy construction, mining, farming, or material handling equipment, heavy industrial engines, diesel-electric locomotives and associated power equipment, and the components of such equipment or engines.

"Heavy off-highway vehicle products coating facility" means a facility that includes one or more heavy off-highway vehicle products coating line(s).

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"Heavy off-highway vehicle products coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of heavy off-highway vehicle products.

"High temperature aluminum coating" means a coating that is certified to withstand a temperature of 537.8°C (1000°F) for 24 hours.

"Hood" means a partial enclosure or canopy for capturing and exhausting, by means of a draft, the organic vapors or other fumes rising from a coating process or other source.

"Hood capture efficiency" means the emissions from a process which are captured by the hood and directed into a control device, expressed as a percentage of all emissions.

"Hot well" means the reservoir of a condensing unit receiving the condensate from a barometric condenser.

"Hour" means a block period of 60 minutes (e.g., 1:00am to 2:00am).

"In-process tank" means a container used for mixing, blending, heating, reacting, holding, crystallizing, evaporating or cleaning operations in the manufacture of pharmaceuticals.

"In-situ Sampling Systems" means nonextractive samplers or in-line samplers.

"In vacuum service" means, for the purpose of Subpart Q of this Part, equipment which is operating at an internal pressure that is at least 5 kPa (0.73 psia) below ambient pressure.

"Incinerator" means a combustion apparatus in which refuse is burned.

"Indirect heat transfer" means transfer of heat in such a way that the source of heat does not come into direct contact with process materials.

"Ink" means a coating used in printing, impressing, or transferring an image onto a substrate.

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"Interior body spray coat" means a coating applied by spray to the interior of a can body.

"Internal-floating roof" means a cover or roof in a fixed-roof tank which rests upon and is supported by the volatile organic liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank shell.

"Lacquers" means any clear wood finishes formulated with nitrocellulose or synthetic resins to dry by evaporation without chemical reaction, including clear laquer sanding sealers.

"Large appliance" means any residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

"Large-appliance coating" means any coating applied to the component metal parts (including, but not limited to, doors, cases, lids, panels, and interior support parts) of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other similar products.

"Large-appliance coating facility" means a facility that includes one or more large-appliance coating line(s).

"Large-appliance coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of large appliances.

"Light liquid" means VOM in the liquid state which is not defined as heavy liquid.

"Light-duty truck" means any motor vehicle rated at 3,850 kg gross vehicle weight or less, designed mainly to transport property.

"Liquid/gas method" means either of two methods for determining capture which require both gas phase and liquid phase measurements and analysis. The first method requires construction of a TIE. The second method uses the building or room which houses the facility as an enclosure. The second method requires that all other VOM

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sources within the room be shut down while the test is performed, but all fans and blowers within the room must be operated according to normal procedures.

"Liquid-Mounted Seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof edge around the circumference of the roof.

"Liquid service" means that the equipment or component contains process fluid that is in a liquid state at operating conditions.

"Liquids Dripping" means any visible leaking from a seal including spraying, misting, clouding and ice formation.

"Lithographic printing line" means a printing line except that the substrate is not necessarily fed from an unwinding roll, in which each roll printer uses a roll where both the image and non-image areas are essentially in the same plane (planographic).

"Low-Solvent Coating" means a coating which contains less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electro-deposition and powder coatings.

"Magnet wire" means aluminum or copper wire formed into an electromagnet coil.

"Magnet wire coating" means any coating or electrically insulating varnish or enamel applied to magnet wire.

"Magnet wire coating facility" means a facility that includes one or more magnet wire coating line(s).

"Magnet wire coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of a magnet wire.

"Malfunction" means any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.



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"Manufacturing process" means a method whereby a process emission source or series of process emission sources is used to raw materials, feed stocks, subassemblies, or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Material Recovery Section" means any equipment designed to transport and recover styrene monomer and other impurities from other products and by products in a polystyrene plant, including but not limited to the styrene devolatilizer unit and styrene recovery unit.

"Maximum theoretical emissions" means the quantity of volatile organic material emissions that theoretically could be emitted by a stationary source before add-on controls based on the design capacity or maximum production capacity of the source and 8760 hours per year. The design capacity or maximum production capacity includes use of coatings(s) or ink(s) with the highest volatile organic material content actually used in practice by the source. Provided, however, the Agency shall, when appropriate, and upon request by the permit applicant, limit the "maximum theoretical emissions" of a source by the imposition of conditions in a federally enforceable operating permit for such source. Such conditions shall not be inconsistent with requirement of the Clean Air Act, as amended, or any applicable requirements established by the Board. Such conditions shall be established in place of design capacity or maximum production capacity in calculating the "maximum theoretical emissions" for such source and may include, among other things, the establishment of production limitations, capacity limitations, emission limitations, or limitations on the volatile organic material content of coatings or inks, or the hours of operation of any emission source, or a combination of any such limitations.

Production or capacity limitations shall be established on basis of no longer than one month except in those cases where a limit spanning a longer period of time is appropriate. In such cases, a rolling limit shall be employed. Any production or capacity limitations shall be verified through appropriate recordkeeping. (Beard Note: The USEPA may deem operating permits which do not conform to the operating permit program requirements and the requirements of USEPA's underlying regulations,

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including the requirement that limitations be quantifiable and enforceable as a practical matter, not federally enforceable."

"Metal furniture" means a furniture piece including, but not limited to, tables, chairs, waste baskets, beds, desks, lockers, benches, shelving, file cabinets, lamps, and room dividers.

"Metal furniture coating" means any non-adhesive coating applied to any furniture piece made of metal or any metal part which is or will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece including, but not limited to, tables, chairs, waste baskets, beds, desks, lockers, benches, shelving, file cabinets, lamps, and room dividers. This definition shall not apply to any coating line coating miscellaneous metal parts or products.

"Metal furniture coating facility" means a facility that includes one or more metal furniture coating line(s).

"Metal furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied onto the surface of metal furniture.

"Metallic shoe-type seal" means a primary or secondary seal constructed of metal sheets (shoes) which are joined together to form a ring, springs, or levers which attach the shoes to the floating roof and hold the shoes against the tank wall, and a coated fabric which is suspended from the shoes to the floating roof.

"Miscellaneous fabricated product manufacturing process" means:

A manufacturing process involving one or more of the following applications, including any drying and curing of formulations, and capable of emitting VOC:

Adhesives to fabricate or assemble components or products

Asphalt solutions to paper or fiberboard



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~~Asphalt to paper or felt~~

~~Coatings or dye to leather~~

~~Coatings to plastic~~

~~Coatings to rubber or glass~~

~~Disinfectant material to manufactured items~~

~~Plastic foam scrap or "fluff" from the manufacture of foam containers and packaging material to form resin pallets~~

~~Resin solutions to fiber substances~~

~~Viseese solutions for food casings~~

~~The storage and handling of formulations associated with the process described above, and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition.~~

~~"Miscellaneous formulation manufacturing process" means:~~

~~A manufacturing process which compounds one or more of the following and is capable of emitting VOM:~~

~~Adhesives~~

~~Asphalt solutions~~

~~Caulks, sealants, or waterproofing agents~~

~~Coatings, other than paint and ink~~

~~Concrete curing compounds~~

~~Dyes~~

~~Friction materials and compounds~~

~~Resin solutions~~

~~Rubber solutions~~

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~~Viseese solutions~~

~~The storage and handling of formulations associated with the process described above, and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition.~~

~~"Miscellaneous metal parts or products" means any metal part or metal product, even if attached to or combined with a nonmetal part or product, except cans, coils, metal furniture, large appliances, magnet wire, automobiles, ships, and airplane bodies.~~

~~"Miscellaneous metal parts and products coating" means any coating applied to any metal part or metal product, even if attached to or combined with a nonmetal part or product, except cans, coils, metal furniture, large appliances, and magnet wire. Prime coat, prime surface coat, topecoat, and final repair coat for automobiles and light-duty trucks are not miscellaneous metal parts and products coatings. However, underbody anti-chip (e.g., underbody plastisol) automobile and light-duty truck coatings are miscellaneous metal parts and products coatings. Also, automobile or light-duty truck refinishing coatings, coatings applied to the exterior of marine vessels, coatings applied to the exterior of airplanes, and the customized topecoating of automobiles and trucks if production is less than 35 vehicles per day are not miscellaneous metal parts and products coatings.~~

~~"Miscellaneous metal parts or products coating facility" means a facility that includes one or more miscellaneous metal parts or products coating lines.~~

~~"Miscellaneous metal parts or products coating line" means a coating line in which any protective, decorative or functional coating is applied onto the surface of miscellaneous metal parts or products.~~

~~"Miscellaneous organic chemical manufacturing process" means:~~

~~A manufacturing process which produces, by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting VOM:~~

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~~Chemicals listed in Appendix A of this Part~~~~Chlorinated and sulfonated compounds~~~~Cosmetic, detergent, soap, or surfactant intermediaries or specialties and products~~~~Disinfectants~~~~Food additives~~~~Oil and petroleum product additives~~~~Plasticizers~~~~Resins or polymers~~~~Rubber additives~~~~Sweeteners~~~~Varnishes~~

~~The storage and handling of formulations associated with the process described above and the use and handling of organic liquids and other substances for clean-up operations associated with the process described in this definition.~~

~~"Monitor" means to measure and record.~~

~~"Multiple package coating" means a coating made from more than one different ingredient which must be mixed prior to using and has a limited pot life due to the chemical reaction which occurs upon mixing.~~

~~"No Detectable Volatile Organic Material Emissions" means a discharge of volatile organic material into the atmosphere as indicated by an instrument reading of less than 500 ppm above background as determined in accordance with 40 CFR 60.485(e).~~

~~"Offset" means, with respect to printing and publishing operations, use of a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed.~~

~~"Opaque stains" means all stains that are not~~

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~~semi-transparent stains.~~

~~"Open top vapor degreasing" means the batch process of cleaning and removing soils from surfaces by condensing hot solvent vapor on the colder metal parts.~~

~~"Open-ended valve" means any valve, except pressure relief devices, having one side of the valve in contact with process fluid and one side open to the atmosphere, either directly or through open piping.~~

~~"Operator of Gasoline Dispensing Facility" means any person who is the lessee of or operates, controls or supervises a gasoline dispensing facility.~~

~~"Organic compound" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.~~

~~"Organic material" means any chemical compound of carbon including diluents and thinners which are liquids at standard conditions and which are used as solvers, viscosity reducers, or cleaning agents, but excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbonic acid, metallic carbide, metallic carbonates, and ammonium carbonate.~~

~~"Organic vapor" means the gaseous phase of an organic material or a mixture of organic materials present in the atmosphere.~~

~~"Oven" means a chamber within which heat is used for one or more of the following purposes: dry, bake, cure, or polymerize a coating or ink.~~

~~"Overall control" means the product of the capture efficiency and the control device efficiency.~~

~~"Overvarnish" means a transparent coating applied directly over ink or coating.~~

~~"Owner of Gasoline Dispensing Facility" means any person who has legal or equitable title to a stationary storage tank at a gasoline dispensing facility.~~

~~"Owner or operator" means any person who owns, operates, leases, controls, or supervises an emission source or air~~



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pollution control equipment-

"packaging rotogravure printing" means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packaging products or labels for articles to be sold.

"packaging rotogravure printing line" means a rotogravure printing line in which surface coatings are applied to paper, paperboard, foil, film, or other substrates which are to be used to produce containers, packaging products, or labels for articles.

"paint manufacturing plant" means a plant that mixes, blends, or compounds enamels, lacquers, sealers, shellacs, stains, varnishes, or pigmented surface coatings.

"paper coating" means any coating applied on paper, plastic film, or metallic foil to make certain products, including (but not limited to) adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper, or pressure sensitive tapes. Paper coating includes the application of coatings by impregnation and/or saturation.

"paper coating facility" means a facility that includes one or more paper coating lines.

"paper coating line" means a coating line in which any protective, decorative, or functional coating is applied on, saturated into, or impregnated into paper, plastic film, or metallic foil to make certain products, including (but not limited to) adhesive tapes and labels, book covers, post cards, office copier paper, drafting paper, and pressure sensitive tapes.

"parts per million (volume)" means a volume/volume ratio which expresses the volumetric concentration of gaseous air contaminant in a million unit volume of gas.

"person" means any individual, corporation, partnership, association, State, municipality, political subdivision of a State, any agency, department, or instrumentality of the United States, and any officer, agent, or employee thereof.

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"petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

"petroleum liquid" means crude oil, condensate or any finished or intermediate product manufactured at a petroleum refinery, but not including Number 2 through Number 6 fuel oils as specified in ASTM D-396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in ASTM D-2880-71 or diesel fuel oils Numbers 2-D and 4-D, as specified in ASTM D-975-68.

"petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum, or through redistillation, cracking, or reforming of unfinished petroleum derivatives.

"pharmaceutical" means any compound or mixture, other than food, used in the prevention, diagnosis, alleviation, treatment, or cure of disease in human and animal.

"pharmaceutical coating operation" means a device in which a coating is applied to a pharmaceutical, including air drying or curing of the coating.

"photochemically Reactive Material" means any organic material with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or the composition of which exceeds any of the following individual percentage composition limitations. Whenever any photochemically reactive material or any constituent of any organic material may be classified from its chemical structure into more than one of the above groups of organic materials it shall be considered as a member of the most reactive group, that is, the group having the least allowable percent of the total organic materials.

A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic types of unsaturation; 5 percent. This definition does not apply to perchloroethylene or trichloroethylene.

A combination of aromatic compounds with eight or



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~~more carbon atoms to the molecule except ethylbenzene: 8 percent.~~

~~A combination of ethylbenzene, ketones having branched hydrocarbon structures or toluene: 20 percent.~~

~~Pigmented coatings" means opaque coatings contained in binders and colored pigments which are formulated to conceal the wood surface either as an undercoat or topcoat.~~

~~"plant" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any marine vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same two-digit code) as described in the "Standard Industrial Classification Manual, 1987" (incorporated by reference in Section 219.112).~~

~~"plasticizers" means a substance added to a polymer composition to soften and add flexibility to the product.~~

~~"Pneumatic Rubber Tire Manufacture" means the production of pneumatic rubber tires with a bead diameter up to but not including 20.0 inches and cross-section dimension up to 12.8 inches, but not including specialty tires for antique or other vehicles when produced on equipment separate from normal production lines for passenger or truck type tires.~~

~~"polystyrene plant" means any plant using styrene to manufacture polystyrene resin.~~

~~"Polystyrene Resin" means substance consisting of styrene polymer and additives which is manufactured at a polystyrene plant.~~

~~"Pressure Release" means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.~~

~~"Pressure Tank" means a tank in which fluids are stored~~

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~~at a pressure greater than atmospheric pressure.~~

~~"prime coat" means the first of two or more coatings applied to a surface.~~

~~"prime surfacer coat" means a coating used to touch up areas on the surface of automobile or light-duty truck bodies not adequately covered by the prime coat before application of the top coat. The prime surfacer coat is applied between the prime coat and topcoat. An anti-chip coating applied to main body parts (e.g., rocker panels, bottom of doors and fenders, and leading edge of roof) is a prime surfacer coat.~~

~~"primers" means any coatings formulated and applied to substrates to provide a firm bond between the substrate and subsequent coats.~~

~~"printing" means the application of words, designs, and pictures to a substrate using ink.~~

~~"printing line" means an operation consisting of a series of one or more roll printers and any associated roll coaters, drying areas, and ovens wherein one or more coatings are applied, dried, and/or cured.~~

~~"process" means any stationary emission source other than a fuel combustion emission source or an incinerator.~~

~~"Process Unit" means components assembled to produce, as intermediates or final products, one or more of the chemicals listed in 35 Ill. Adm. Code 219 Appendix A. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.~~

~~"Process Unit Shutdown" means a work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare components and technically feasible bypassing of components without stopping production is not a process unit shutdown.~~

~~"production equipment exhaust system" means a system for~~

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collecting and directing into the atmosphere emissions of volatile organic material from reactors, centrifuges, and other process emission sources.

"Publication rotogravure printing line" means a rotogravure printing line in which coatings are applied to paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, or other types of printed material.

"Purged process fluid" means liquid or vapor from a process unit that contains volatile organic material and that results from flushing or cleaning the sample line(s) of a process unit so that an uncontaminated sample may then be taken for testing or analysis.

"Reactor" means a vat, vessel, or other device in which chemical reactions take place.

"Reasonably Available Control Technology (RACT)" means the lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

"Refinery" means any person who owns, leases, operates, controls, or supervises a refinery.

"Refinery Fuel Gas" means any gas which is generated by a petroleum refinery process unit and which is combusted at the refinery, including any gaseous mixture of natural gas and fuel gas.

"Refinery unit, process unit or unit" means a set of components which are a part of a basic process operation such as distillation, hydrotreating, cracking, or reforming of hydrocarbons.

"Refrigerated condenser" means a surface condenser in which the coolant supplied to the condenser has been cooled by a mechanical device, other than by a cooling tower or evaporative spray cooling, such as refrigeration unit or steam chiller unit.

"Reid vapor pressure" means the standardized measure of the vapor pressure of a liquid in pounds per square inch absolute (Psia) at 100°F (37.8°C).

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"Repair coatings" means coatings used to correct imperfections or damage to furniture surface.

"Repaired" means, for the purpose of Subpart Q of this part, that equipment component has been adjusted, or otherwise altered, to eliminate a leak.

"Residual Fuel Oil" means fuel oils of grade No. 4, 5 and 6 as specified in detailed requirements for fuel oils A.S.T.M. D-396-69 (1971).

"Retail Outlet" means any gasoline dispensing facility at which gasoline is sold or offered for sale for use in motor vehicles.

"Roll coater" means an apparatus in which a uniform layer of coating is applied by means of one or more rolls across the entire width of a moving substrate.

"Roll printer" means an apparatus used in the application of words, designs, and pictures to a substrate, usually by means of one or more rolls each with only partial coverage.

"Roll printing" means the application of words, designs, and pictures to a substrate usually by means of a series of hard rubber or metal rolls each with only partial coverage.

"Roller coating" means a method of applying a coating to a sheet or strip in which the coating is transferred by a roller or series of rollers.

"Rolling limit" means that a limit or limitation must not exceed an annual limit rolled on a basis of at most a month monthly basis; that is, for example, a monthly production or capacity level must be determined for each parameter subject to a production or capacity limitation and added to the eleven prior monthly levels for monthly comparison with the annual limit.

"Rotogravure printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is recessed relative to the non-image area.

"Rotogravure printing line" means a printing line in



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which each roll printer uses a roll with recessed areas for applying an image to a substrate.

"Safety relief valve" means a valve which is normally closed and which is designed to open in order to relieve excessive pressures within a vessel or pipe.

"Sanding sealers" means any coatings formulated for and applied to bare wood for sanding and to seal the wood for subsequent application of varnish. To be considered a sanding sealer a coating must be clearly labelled as such.

"Sealer" means a coating containing binders which seals wood prior to the application of the subsequent coatings.

"Sensor" means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

"Semi-transparent stains" means stains containing dyes or semi-transparent pigments which are formulated to enhance wood grain and change the color of the surface but not to conceal the surface, including, but not limited to, sap stain, toner, non-grain raising stains, pad stain, or spatter stain.

"Set of safety relief valves" means one or more safety relief valves designed to open in order to relieve excessive pressures in the same vessel or pipe.

"Sheet basecoat" means a coating applied to metal when the metal is in sheet form to serve as either the exterior or interior of a can for either two-piece or three-piece cans.

"Side-seam spray coat" means a coating applied to the seam of a three-piece can.

"Single coat" means one coating application applied to a metal surface.

"Solvent" means a liquid substance that is used to dissolve or dilute another substance.

"Solvent cleaning" means the process of cleaning soils from surfaces by cold cleaning, open top vapor

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degreasing, or conveyerized degreasing.

"Specified air contaminant" means any air contaminant as to which this part contains emission standards or other specific limitations.

"Splash loading" means a method of loading a tank, railroad tank car, tank truck, or trailer by use of other than a submerged loading pipe.

"Stack" means a flue or conduit, free-standing or with exhaust port above the roof of the building on which it is mounted, by which air contaminants are emitted into the atmosphere.

"Standard conditions" means a temperature of 70°F and a pressure of 14.7 psia.

"Standard cubic foot (scf)" means the volume of one cubic foot of gas at standard conditions.

"Standard Industrial Classification Manual" means the Standard Industrial Classification Manual (1987), Superintendent of Documents, U.S. Government Printing Office, Washington, DC-20402 (incorporated by reference in Section 219.112).

"Start-up" means the setting in operation of an emission source for any purpose.

"Stationary emission source" means an emission source which is not self-propelled.

"Storage tank or storage vessel" means any stationary tank, reservoir or container used for the storage of volatile

styrene devolatilizer unit means equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

"Styrene Recovery Unit" means equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as a raw material in the polystyrene plant.



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~~"Submerged leading pipe" means any discharge pipe or nozzle which meets either of the following conditions:~~

~~Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is 15 cm (6 in.) above the bottom of the tank.~~

~~Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is 46 cm (18 in.) above the bottom of the tank.~~

~~"Substrate" means the surface onto which a coating is applied or into which a coating is impregnated.~~

~~"Surface condenser" means a device which removes a substance from a gas stream by reducing the temperature of the stream, without direct contact between the coolant and the stream.~~

~~"Synthetic Organic Chemical or Polymer Manufacturing Plant" means a plant that produces, as intermediates or final products, one or more of the chemicals or polymers listed in 35 Ill. Adm. Code 210 Appendix A.~~

~~"Tablet coating operation" means a pharmaceutical coating operation in which tablets are coated.~~

~~"Thirty-day rolling average" means any value arithmetically averaged over any consecutive thirty days.~~

~~"Three-piece can" means a can which is made from a rectangular sheet and two circular ends.~~

~~"Topcoat" means a coating applied in a multiple-coat operation other than prime coat, final repair coat, or prime surface coat.~~

~~"Topcoat operation" means all topcoat spray booths, flash-off areas, and bake ovens at a facility which are used to apply, dry, or cure the final coatings (except final off-line repair) on components of automobile or light-duty truck bodies.~~

~~"Transfer efficiency" means the ratio of the amount of coating solids deposited onto a part or product to the~~

~~total amount of coating solids used.~~

~~"Tread End Cementing" means the application of a solvent-based cement to the tire tread ends.~~

~~"True vapor pressure" means the equilibrium partial pressure exerted by a volatile organic liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks," second edition, February 1980 (incorporated by reference in Section 210.112).~~

~~"Turnaround" means the procedure of shutting down an operating refinery unit, emptying gaseous and liquid contents to do inspection, maintenance and repair work, and putting the unit back into production.~~

~~"Two-piece can" means a can which is drawn from a shallow cup and requires only one end to be attached.~~

~~"Undercoaters" means any coatings formulated for and applied to substrates to provide a smooth surface for subsequent coats.~~

~~"Undertread Cementing" means the application of a solvent-based cement to the underside of a tire tread.~~

~~Unregulated safety relief valve" means a safety relief valve which cannot be actuated by a means other than high pressure in the pipe or vessel which it protects.~~

~~"Vacuum producing system" means any reciprocating, rotary, or centrifugal blower or compressor or any jet ejector or device that creates suction from a pressure below atmospheric and discharges against a greater pressure.~~

~~"Valves not externally regulated" means valves that have no external controls, such as in-line check valves.~~

~~"Vapor balance system" means any combination of pipes or hoses which creates a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.~~

~~"Vapor collection system" means all piping, seals, hoses,~~

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~~connections, pressure-vacuum vents, and other possible sources between the gasoline delivery vessel and the vapor processing unit and/or the storage tanks and vapor holder.~~

~~"Vapor control system" means any system that limits or prevents release to the atmosphere of organic material in the vapors displaced from a tank during the transfer of gasoline.~~

~~"Vapor Mounted Primary Seal" means a primary seal mounted with an air space bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.~~

~~"Vapor recovery system" means a vapor gathering system capable of collecting all VOM vapors and gases discharged from the storage tank and a vapor disposal system capable of processing such VOM vapors and gases so as to prevent their emission to the atmosphere.~~

~~"Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.~~

~~"Vinyl coating" means any topcoat or printing ink applied to vinyl coated fabric or vinyl sheets. Vinyl coating does not include plastisols.~~

~~"Vinyl coating facility" means a facility that includes one or more vinyl coating line(s).~~

~~"Vinyl coating line" means a coating line in which any protective, decorative or functional coating is applied onto vinyl coated fabric or vinyl sheets.~~

~~"Volatile organic liquid (VOL)" means any substance which is liquid at storage conditions and which contains volatile organic compounds.~~

~~"Volatile organic material (VOM) or volatile organic compound (VOC)" means "volatile organic material (VOM) or volatile organic compound (VOC)", as that term is defined in 35 Ill. Adm. Code Part 211.~~

~~"Volatile Petroleum Liquid" means any petroleum liquid~~

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~~with a true vapor pressure that is greater than 1.5 psia (78 millimeters of mercury) at standard conditions.~~

~~"Wash coat" means a coating containing binders which seals wood surfaces, prevents undesired staining, and controls penetration.~~

~~"Wastewater (oil/water) separator" means any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals from water, or any device, such as a flocculation tank or a clarifier, which removes petroleum derived compounds from waste water.~~

~~"Web" means a substrate which is printed in continuous roll-fed presses.~~

~~"Wood furniture" means room furnishings including cabinets (kitchen, bath, and vanity), tables, chairs, beds, sofas, shutters, art objects, wood paneling, wood flooring, and any other coated furnishings made of wood, wood composition, or fabricated wood materials.~~

~~"Wood furniture coating facility" means a facility that includes one or more wood furniture coating line(s).~~

~~"Wood furniture coating line" means a coating line in which any protective, decorative, or functional coating is applied onto wood furniture.~~

~~"Woodworking" means the shaping, sawing, grinding, smoothing, polishing, and making into products of any form or shape of wood.~~

The definitions of 35 Ill. Adm. Code 211 apply to this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.105 Test Methods and Procedures

a) Coatings, Inks and Fountain Solutions

The following test methods and procedures shall be used to determine compliance of as applied coatings, inks, and fountain solutions with the limitations set forth in this Part.



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- 1) Sampling: Samples collected for analyses shall be one-liter taken into a one-liter container at a location and time such that the sample will be representative of the coating as applied (i.e., the sample shall include any dilution solvent or other VOM added during the manufacturing process). The container must be tightly sealed immediately after the sample is taken. Any solvent or other VOM added after the sample is taken must be measured and accounted for in the calculations in subsection (a)(3) of this Section. For multiple package coatings, separate samples of each component shall be obtained. A mixed sample shall not be obtained as it will cure in the container. Sampling procedures shall follow the guidelines presented in:
- A) ASTM D3925-81(1985) standard practice for sampling liquid paints and related pigment coating. This practice is incorporated by reference in Section 219.112 of this Part.
- B) ASTM E300-86 standard practice for sampling industrial chemicals. This practice is incorporated by reference in Section 219.112 of this Part.
- 2) Analyses: The applicable analytical methods specified below shall be used to determine the composition of coatings, inks, or fountain solutions as applied.
- A) Method 24 of 40 CFR 60, Appendix A, incorporated by reference in Section 219.112 of this Part, shall be used to determine the VOM content and density of coatings. If it is demonstrated to the satisfaction of the Agency and the USEPA that plant coating formulation data are equivalent to Method 24 results, formulation data may be used. In the event of any inconsistency between a Method 24 test and a facility's formulation data, the Method 24 test will govern.
- B) Method 24A of 40 CFR Part 60, Appendix A, incorporated by reference in Section 219.112, shall be used to determine the VOM content and

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- density of rotogravure printing inks and related coatings. If it is demonstrated to the satisfaction of the Agency and USEPA that the plant coating formulation data are equivalent to Method 24A results, formulation data may be used. In the event of any inconsistency between a Method 24A test and a facility's formulation data, the Method 24A test will govern.
- C) The following ASTM methods are the analytical procedures for determining VOM:
- i) ASTM D1475-85: Standard test method for density of paint, varnish, lacquer and related products. This test method is incorporated by reference in Section 219.112 of this Part.
- ii) ASTM D2369-87: Standard test method for volatile content of a coating. This test method is incorporated by reference in Section 219.112 of this Part.
- iii) ASTM D3792-86: Standard test method for water content of water-reducible paints by direct injection into a gas chromatograph. This test method is incorporated by reference in Section 219.112 of this Part.
- iv) ASTM D4017-81(1987): Standard test method for water content in paints and paint materials by the Karl Fischer method. This test method is incorporated by reference in Section 219.112 of this part.
- v) ASTM D4457-85: Standard test method for determination of dichloromethane and 1,1,1, trichloroethane in paints and coatings by direct injection into a gas chromatograph. (The procedure delineated above can be used to develop protocols for any compounds specifically exempted from the definition of VOM.) This test method is incorporated by reference in



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## Section 219.112 of this Part.

vi) ASTM D2697-86: Standard test method for volume non-volatile matter in clear or pigmented coatings. This test method is incorporated by reference in Section 219.112 of this Part.

vii) ASTM D3980-87: Standard practice for interlaboratory testing of paint and related materials. This practice is incorporated by reference in Section 219.112 of this Part.

viii) ASTM E180-85: Standard practice for determining the precision data of ASTM methods for analysis of and testing of industrial chemicals. This practice is incorporated by reference in Section 219.112 of this Part.

ix) ASTM D2372-85: Standard method of separation of vehicle from solvent-reducible paints. This method is incorporated by reference in Section 219.112 of this Part.

D) Use of an adaptation to any of the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section may not be used unless approved by the Agency and USEPA. An owner or operator must submit sufficient documentation for the Agency and USEPA to find that the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.

3) Calculations: Calculations for determining the VOM content, water content and the content of any compounds which are specifically exempted from the definition of VOM of coatings, inks and fountain solutions as applied shall follow the guidance provided in the following documents:-i

A) "A Guide for Surface Coating Calculation", EPA-340/1-86-016, incorporated by reference in

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## Section 219.112 of this Part.

B) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coatings" (revised June 1986), EPA-450/3-84-019, incorporated by reference in Section 219.112 of this Part.

C) "A Guide for Graphic Arts Calculations", August 1988, EPA-340/1-88-003, incorporated by reference in Section 219.112 of this Part.

b) Automobile or Light-Duty Truck Test Protocol

1) The protocol for testing, including determining the transfer efficiency, of coating applicators, at primer, surfacer operations and topcoat coating operations at an automobile or light-duty truck assembly facility source shall follow the procedure in: "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations" ("topcoat protocol"), December 1988, EPA-450/3-88-018, incorporated by reference in Section 219.112 of this Part.

2) Prior to testing pursuant to the topcoat protocol, the owner or operator of a coating operation subject to the topcoat or primer surfacer limit in Sections 219.204(a)(2) or 219.204(a)(3) shall submit a detailed testing proposal specifying the method by which testing will be conducted and how compliance will be demonstrated consistent with the topcoat protocol. The proposal shall include, at a minimum, a comprehensive plan (including a rationale) for determining the transfer efficiency at each booth through the use of in-plant or pilot testing, the selection of coatings to be tested (for the purpose of determining transfer efficiency) including the rationale for coating groupings, the method for determining the analytic VOM content of as applied coatings and the formulation solvent content of as applied coatings, and a description of the records of coating VOM content as applied and coating's usage which will be kept to demonstrate compliance. Upon approval of the proposal by the Agency and USEPA, the

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compliance demonstration for a coating line may proceed.

## c) Capture System Efficiency Test Protocols

## 1) Applicability

The requirements of subsection (c)(2) of this Section shall apply to all VOM emitting processes emission units employing capture equipment (e.g., hoods, ducts), except those cases noted below.

A) If a source ~~install~~ an emission unit is equipped with (or uses) a permanent total enclosure (PTE) that meets Agency and USEPA specifications, and which directs all VOM to a control device, then the ~~source~~ emission unit is exempted from the requirements described in subsection (c)(2) of this Section. The Agency and USEPA specifications to determine whether a structure is considered a PTE are given in Procedure T of Appendix B of this Part. In this instance, the capture efficiency is assumed to be 100 percent and the ~~source~~ emission unit is still required to measure control efficiency using appropriate test methods as specified in subsection (d) of this Section.

B) If a ~~source~~ uses an emission unit is equipped with (or uses) a control device designed to collect and recover VOM (e.g., carbon adsorber), an explicit measurement of capture efficiency is not necessary provided that the conditions given below are met. The overall control of the system can be determined by directly comparing the input liquid VOM to the recovered liquid VOM. The general procedure for use in this situation is given in 40 CFR 60.433, incorporated by reference in Section 219.112 of this Part, with the following additional restrictions:

i) The ~~source~~ must be able to equate solvent usage with solvent recovery on a 24-hour (daily) basis, rather than a 30-day weighted average, within 72 hours

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~~following the 24-hour period. In addition, one of the following two criteria must be met: The source owner or operator shall obtain data each operating day for the solvent usage and solvent recovery to permit the determination of the solvent recovery efficiency of the system each operating day using a 7-day rolling period. The recovery efficiency for each operating day is computed as the ratio of the total recovered solvent for that day and the most recent prior 6 operating days to the total solvent usage for the same 7-day period used for the recovered solvent, rather than a 30-day weighted average as given in 40 CFR 60.433 incorporated by reference in Section 219.112 of this Part. This ratio shall be expressed as a percentage. The ratio shall be computed within 72 hours following each 7-day period. A source that believes that the 7-day rolling period is not appropriate may use an alternative multi-day rolling period not to exceed 30 days, with the approval of the Agency and USEPA. In addition, the criteria in subsection (c)(1)(B)(ii) or subsection (c)(1)(B)(iii) below must be met.~~

ii) The solvent recovery system (i.e., capture and control system) must be dedicated to a single coating line, printing line, or other discrete activity that by itself is subject to an applicable VOM emission standard, ~~process line (e.g., one process line venting to a carbon adsorber system), or~~

iii) If the solvent recovery system controls more than one coating line, printing line or other discrete activity that by itself is subject to an applicable VOM emission standard, the overall control (i.e., the total recovered VOM divided by the sum of liquid VOM input from all lines and other activities venting to the control system)

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~~must meet or exceed the most stringent standard applicable to any line or other discrete activity venting to the control system. Multiple process lines, then the source must be able to demonstrate that the overall control (i.e., the total recovered solvent VOM divided by the sum of liquid VOM input to all process lines venting to the control system) meets or exceeds the most stringent standard applicable for any process line venting to the control system.~~

## 2) Specific Requirements

The capture efficiency of a ~~process-line~~ emission unit shall be measured using one of the four protocols given below. Any error margin associated with a test protocol may not be incorporated into the results of a capture efficiency test. If these techniques are not suitable for a particular process, then the ~~source may use an alternative capture efficiency protocol~~ may be used, provided that the alternative protocol is approved by the Agency and approved by the USEPA as a SIP revision.

A) Gas/gas method using temporary total enclosure (TTE). The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Procedure T of Appendix B of this Part. The capture efficiency equation to be used for this protocol is:

$$CE = Gw / (Gw + Fw)$$

where:

CE = capture efficiency, decimal fraction;

Gw = mass of VOM captured and delivered to control device using a TTE;

Fw = mass of fugitive VOM that escapes from a TTE.

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Procedure G.2 contained in Appendix B of this Part is used to obtain Gw. Procedure F.1 in Appendix B of this Part is used to obtain Fw.

B) Liquid/gas method using TTE. The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Procedure T of Appendix B of this Part. The capture efficiency equation to be used for this protocol is:

$$CE = (L - Fw) / L$$

where:

CE = capture efficiency, decimal fraction;

L = mass of liquid VOM input to process emission unit;

Fw = mass of fugitive VOM that escapes from a TTE.

Procedure L contained in Appendix B of this Part is used to obtain L. Procedure F.1 in Appendix B of this Part is used to obtain Fw.

C) Gas/gas method using the building or room (building or room enclosure), in which the affected coating line, printing line or other ~~source~~ emission unit is located, as the enclosure and in which "F" and "G" are measured while operating only the affected line or facility emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

$$CE = G / (G + F_b)$$

where:

CE = capture efficiency, decimal fraction;



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G = mass of VOM captured and delivered to control device;

reported to the Agency within sixty (60) days of the test date. A copy of the results must be kept on file with the source for a period of three (3) years.

F<sub>B</sub> = mass of fugitive VOM that escapes from building enclosure.

Procedure G.2 contained in Appendix B of this Part is used to obtain G. Procedure F.2 in Appendix B of this Part is used to obtain F<sub>B</sub>.

B) If any changes are made to capture or control equipment, then the source is required to notify the Agency and the USEPA of these changes and a new test may be required by the Agency or the USEPA.

D) Liquid/gas method using the building or room (building or room enclosure) in which the affected coating line, printing line or other source emission unit is located, as the enclosure and in which "F" and "L" are measured while operating only the affected line facility emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

$$CE = (L - F_B) / L$$

where:

CE = capture efficiency, decimal fraction;

L = mass of liquid VOM input to process emission unit;

F<sub>B</sub> = mass of fugitive VOM that escapes from building enclosure.

Procedure L contained in Appendix B of this Part is used to obtain L. Procedure F.2 in Appendix B of this Part is used to obtain F<sub>B</sub>.

## 3) Recordkeeping and Reporting

A) All affected facilities owners or operators affected by this subsection must maintain a copy of the capture efficiency protocol submitted to the Agency and the USEPA on file. All results of the appropriate test methods and capture efficiency protocols must be

d) Control Device Efficiency Testing and Monitoring

1) The control device efficiency shall be determined by simultaneously measuring the inlet and outlet gas phase VOM concentrations and gas volumetric flow rates in accordance with the gas phase test methods specified in subsection (f) of this Section.

2) Any owner or operator:

A) That uses an afterburner or carbon adsorber to comply with any Section of this Part 219 shall use Agency and USEPA approved continuous monitoring equipment which is installed,

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calibrated, maintained, and operated according to vendor specifications at all times the afterburner or carbon adsorber is in use except as provided in subsection (d)(3) of this Section. The continuous monitoring equipment must monitor the following parameters:

- A) For each afterburner which does not have a catalyst bed, the combustion chamber temperature of each afterburner.
- B) For each afterburner which has a catalytic bed, commonly known as a catalytic afterburner, the temperature rise across each catalytic afterburner bed or VOM concentration of exhaust.
- C) For each carbon adsorber, the VOM concentration of each carbon adsorption bed exhaust or the exhaust of the bed next in sequence to be desorbed.
- D) Of an automobile or light-duty truck primer surfacer operation or topcoat operation subject to subsection (d)(2)(A) above, shall keep a separate record of the following data for the control devices, unless alternative provisions are set forth in a permit pursuant to Title V of the Clean Air Act:
  - i) For thermal afterburners for which combustion chamber temperature is monitored, all 3-hour periods of operation in which the average combustion temperature was more than 28°C (50°F) below the average combustion temperature measured during the most recent performance test that demonstrated that the operation was in compliance.
  - ii) For catalytic afterburners for which temperature rise is monitored, all 3-hour periods of operation in which the average gas temperature before the catalyst bed is more than 28°C (50°F) below the average gas temperature immediately

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before the catalyst bed measured during the most recent performance test that demonstrated that the operation was in compliance.

- iii) For catalytic afterburners and carbon adsorbers for which VOM concentration is monitored, all 3-hour periods of operation during which the average VOM concentration or the reading of organics in the exhaust gases is more than 20 percent greater than the average exhaust gas concentration or reading measured by the organic monitoring device during the most recent determination of the recovery efficiency of a carbon adsorber or performance test for a catalytic afterburner, which determination or test that demonstrated that the operation was in compliance.
- 3) An owner or operator that uses a carbon adsorber to comply with Section 219.401 of this Part may operate the adsorber during periods of monitoring equipment malfunction, provided that:
  - A) The owner or operator notifies in writing the Agency and USEPA, within 10 days after the conclusion of any 72 hour period during which the adsorber is operated and the associated monitoring equipment is not operational, of such monitoring equipment failure and provides the duration of the malfunction, a description of the repairs made to the equipment, and the total to date of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational;
  - B) During such period of malfunction the adsorber is operated using timed sequences as the basis for periodic regeneration of the adsorber;
  - C) The period of such adsorber operation does not exceed 360 hours in any calendar year without the approval of the Agency and USEPA; and

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D) The total of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational shall be reported, in writing, to the Agency and USEPA by January 31st of the following calendar year.

or more coatings (if more than one coating is used), as applied to the subject coating line as determined by the applicable test methods and procedures specified in subsection (a)(4)(i) of this Part in units of kg VOM/l (lb VOM/gal) of coating solids as applied;<sup>7</sup>

## e) Overall Efficiency

1) The overall efficiency of the emission control system shall be determined as the product of the capture system efficiency and the control device efficiency or by the liquid/liquid test protocol as specified in 40 CFR 60.433, incorporated by reference in Section 219.112 of this Part, (and revised by subsection (c)(1)(B) of this Section) for each solvent recovery system. In those cases in which the overall efficiency is being determined for an entire line, the capture efficiency used to calculate the product of the capture and control efficiency is the total capture efficiency over the entire line.

VOM<sub>i</sub> = The VOM emission limit specified in ~~Section 219.207(a) or (b)~~ Sections 219.204 or 219.205 of this Part in units of kg VOM/l (lb VOM/gal) of coating solids as applied.

f) Volatile Organic Material Gas Phase Source Test Methods  
The methods in 40 CFR Part 60, Appendix A, incorporated by reference in Section 219.112 of this Part delineated below shall be used to determine control device efficiencies.

2) For coating lines which are both chosen by the owner or operator to comply with Section 219.207(a), (d), (e), (f), or (g) of this Part by the alternative in Section 219.207(b)(2) of this Part and meet the criteria allowing them to comply with Section 219.207 instead of Section 219.204 of this Part, the overall efficiency of the capture system and control device, as determined by the test methods and procedures specified in subsections (c), (d) and (e)(1) of this Section, shall be no less than the equivalent overall efficiency which shall be calculated by the following equation:

$$E = ([VOM_a - VOM_i]/VOM_i) \times 100$$

where:

E = Equivalent overall efficiency of the capture system and control device as a percentage;<sup>7</sup>

VOM<sub>i</sub> = Actual VOM content of a coating, or the daily-weighted average VOM content of two

A) When the method is to be used to determine the efficiency of a carbon adsorption system with a common exhaust stack for all the individual adsorber vessels, the test shall consist of three separate runs, each coinciding with one or more complete sequences through the adsorption cycles of all the individual adsorber vessels.

B) When the method is to be used to determine the efficiency of a carbon adsorption system with

1) 40 CFR Part 60, Appendix A, Method 18, 25 or 25A, incorporated by reference in Section 219.112 of this Part as appropriate to the conditions at the site, shall be used to determine VOM concentration. Method selection shall be based on consideration of the diversity of organic species present and their total concentration and on consideration of the potential presence of interfering gases. Except as indicated in subsections (f)(1)(A) and (B) below, the test shall consist of three separate runs, each lasting a minimum of 60 min, unless the Agency and the USEPA determine that process variables dictate shorter sampling times.



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individual exhaust stacks for each adsorber vessel, each adsorber vessel shall be tested individually. The test for each adsorber vessel shall consist of three separate runs. Each run shall coincide with one or more complete adsorption cycles.

## 1) Leak Detection Monitoring

A) Monitoring shall comply with 40 CFR 60, Appendix A, Method 21, incorporated by reference in Section 219.112 of this Part.

B) The detection instrument shall meet the performance criteria of Method 21.

C) The instrument shall be calibrated before use on each day of its use by the methods specified in Method 21.

D) Calibration gases shall be:

i) Zero air (less than 10ppm of hydrocarbon in air); and

ii) A mixture of methane or n-hexane and air at a concentration of approximately, but no less than, 10,000 ppm methane or n-hexane.

E) The instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Method 21.

When equipment is tested for compliance with no detectable emissions as required, the test shall comply with the following requirements:

A) The requirements of subsections (g)(1)(A) through (g)(1)(E) of this Section above shall apply.

B) The background level shall be determined as set forth in Method 21.

3) Leak detection tests shall be performed consistent with:

A) "APTI Course SI 417 controlling Volatile Organic Compound Emissions from Leaking Process Equipment", EPA-450/2-82-015, incorporated by reference in Section 219.112 of this Part.

2) 40 CFR Part 60, Appendix A, Method 1 or 1A, incorporated by reference in Section 219.112 of this Part, shall be used for sample and velocity traverses.

3) 40 CFR Part 60, Appendix A, Method 2, 2A, 2C or 2D, incorporated by reference in Section 219.112 of this Part, shall be used for velocity and volumetric flow rates.

4) 40 CFR Part 60, Appendix A, Method 3, incorporated by reference in Section 219.112 of this Part, shall be used for gas analysis.

5) 40 CFR Part 60, Appendix A, Method 4, incorporated by reference in Section 219.112 of this Part, shall be used for stack gas moisture.

6) 40 CFR Part 60, Appendix A, Methods 2, 2A, 2C, 2D, 3 and 4, incorporated by reference in Section 219.112 of this Part, shall be performed, as applicable, at least twice during each test run.

7) Use of an adaptation to any of the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section may not be used unless approved by the Agency and the USEPA on a case by case basis. An owner or operator must submit sufficient documentation for the Agency and the USEPA to find that the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.

g) Leak Detection Methods for Volatile Organic Material

Owners or operators required by this Part to carry out a leak detection monitoring program shall comply with the following requirements:

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- B) "Portable Instrument User's Manual for Monitoring VOCM Sources", EPA-340/ 1-86-015, incorporated by reference in Section 219.112 of this Part.
- C) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOCM and VHAP", EPA-450/3-88-010, incorporated by reference in Section 219.112 of this Part.
- D) "Petroleum Refinery Enforcement Manual", EPA-340/1-80-008, incorporated by reference in Section 219.122219.112 of this Part.

## h) Bulk Gasoline Delivery System Test Protocol

- 1) The method for determining the emissions of gasoline from a vapor recovery system are delineated in 40 CFR 60, Subpart XX, Section 60.503, incorporated by reference in Section 219.112 of this Part.

- 2) Other tests shall be performed consistent with:

- A) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", EPA-340/ 1-80-012, incorporated by reference in Section 219.112 of this Part.

- B) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", EPA-450/2-77-026, incorporated by reference in Section 219.112 of this Part.

- i) Notwithstanding other requirements of this Part, upon request of the Agency where it is necessary to demonstrate compliance, an owner or operator of an emission source unit which is subject to this Part shall, at his own expense, conduct tests in accordance with the applicable test methods and procedures specific in this Part. Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

## j) Stage II Gasoline Vapor Recovery Test Methods

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The methods for determining the acceptable performance of Stage II Gasoline Vapor Recovery System are delineated in "Technical Guidance-Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities," found at EPA 450/3-91-022b and incorporated by reference in Section 219.112 of this Part. Specifically, the test methods are as follows:

- 1) Dynamic Backpressure Test is a test procedure used to determine the pressure drop (flow resistance) through balance vapor collection and control systems (including nozzles, vapor hoses, swivels, dispenser piping and underground piping) at prescribed flow rates.

- 2) Pressure Decay/Leak Test is a test procedure used to quantify the vapor tightness of a vapor collection and control system installed at gasoline dispensing facilities.

- 3) Liquid Blockage Test is a test procedure used to detect low points in any vapor collection and control system where condensate may accumulate.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.106 Compliance Dates

Compliance with the requirements of all rules is required by May 15, 1992, consistent with the provisions of Section 219.103 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.107 Operation of Afterburners

The operation of any natural gas fired afterburner and capture system used to comply with this Part is not required during the period of November 1 of any year to April 1 of the following year provided that the operation of such devices is not required for purposes of occupational safety or health, or for the control of toxic substances, odor nuisances, or other regulated pollutants.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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## Section 219.109

## Vapor Pressure of Volatile Organic Liquids

- a) If the VOL consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or the vapor pressure may be obtained from a ~~published source~~ publication such as: Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

- b) If the VOL is a mixture, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or by the following equation:

$$P_{vol} = \sum_{i=1}^n P_i X_i$$

where:

$P_{vol}$  = Total vapor pressure of the mixture- $i$

$n$  = Number of components in the mixture- $i$

$i$  = Subscript denoting an individual component- $i$

$P_i$  = Vapor pressure of a component determined in accordance with ~~Subpart A of this Part~~ subsection (a) of this Section.

$X_i$  = Mole fraction of the component in the total mixture.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.110

## Vapor Pressure of Organic Material or Solvent

- a) If the organic material or solvent consists of only a single compound, the vapor pressure shall be determined

by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or the vapor pressure may be obtained from a ~~published source~~ publication such as: Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

- b) If the organic material or solvent is in a mixture made up of both organic material compounds and compounds which are not organic material, the vapor pressure shall be determined by the following equation:

$$P_{om} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n R_i X_i}$$

where:

$P_{om}$  = Total vapor pressure of the portion of the mixture which is composed of organic material- $i$

$n$  = Number of organic material components in the mixture- $i$

$i$  = Subscript denoting an individual component- $i$

$P_i$  = Vapor pressure of an organic material component determined in accordance with ~~Subpart A of this Part~~ subsection (a) of this Section- $i$

$X_i$  = Mole fraction of the organic material component of the total mixture.

- c) If the organic material or solvent is in a mixture made up of only organic material compounds, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or by the



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above equation.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.111 Vapor Pressure of Volatile Organic Material

- a) If the VOM consists of only a single compound, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or the vapor pressure may be obtained from a published source publication such as: Boublik, T. V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," Elsevier Scientific Publishing Co., New York (1973); Perry's Chemical Engineer's Handbook, McGraw-Hill Book Company (1984); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (1986-87); and Lange's Handbook of Chemistry, John A. Dean, editor, McGraw-Hill Book Company (1985).

- b) If the VOM is in a mixture made up of both VOM compounds and compounds which are not VOM, the vapor pressure shall be determined by the following equation:

$$P_{\text{vom}} = \frac{\sum_{i=1}^n P_i X_i}{\sum_{i=1}^n X_i}$$

where:

- $P_{\text{vom}}$  = Total vapor pressure of the portion of the mixture which is composed of VOM<sub>7-i</sub>
- $n$  = Number of VOM components in the mixture<sub>7-i</sub>
- $i$  = Subscript denoting an individual component<sub>7-i</sub>
- $P_i$  = Vapor pressure of a VOM component determined in accordance with Subpart A of this Part subsection (a) of this Section<sub>7-i</sub>
- $X_i$  = Mole fraction of the VOM component of the total mixture.

- c) If the VOM is in a mixture made up of only VOM compounds, the vapor pressure shall be determined by ASTM Method D2879-86 (incorporated by reference in Section 219.112 of this Part) or by the above equation.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.112 Incorporations by Reference

The following materials are incorporated by reference and do not contain any subsequent additions or amendments:

- a) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103:

- 1) ASTM D2879-86
- 2) ASTM D323-82
- 3) ASTM D86-82

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- 4) ASTM D-369-69 (1971)
  - 5) ASTM D-396-69
  - 6) ASTM D2880-71
  - 7) ASTM D-975-68
  - 8) ASTM D3925-81 (1985)
  - 9) ASTM E300-86
  - 10) ASTM D1475-85
  - 11) ASTM D2369-87
  - 12) ASTM D3792-86
  - 13) ASTM D4017-81 (1987)
  - 14) ASTM D4457-85
  - 15) ASTM D2697-86
  - 16) ASTM D3980-87
  - 17) ASTM E180-85
  - 18) ASTM D2372-85
  - 19) ASTM D97-66
  - 20) ASTM E-168-87 (1977)
  - 21) ASTM E-169-87
  - 22) ASTM E-260-91
  - 23) ASTM D2504-83
  - 24) ASTM D2382-83
  - 25) ASTM D323-82 (approved 1982)
- b) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1987.
- c) American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks", Second ed., February, 1980.
- d) 40 CFR Part 60 (July 1, 1990~~1991~~) and 40 CFR 60, Appendix A, Method 24 (57 FR 30654, July 10, 1992).
- e) 40 CFR Part 61 (July 1, 1990~~1991~~).
- f) 40 CFR Part 50 (July 1, 1989~~1991~~).
- g) 40 CFR Part 51 (July 1, 1989~~1991~~).
- h) 40 CFR Part 52 (July 1, 1989~~1991~~).
- i) 40 CFR Part 80 (July 1, 1991).
- j) "A Guide for Surface Coating Calculation", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-016.

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- j) ~~k)~~ "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coating", (Revised June 1986), United States Environmental Protection Agency, Washington D.C., EPA-450/3-84-019.
- k) ~~l)~~ "A Guide for Graphic Arts Calculations", August 1988, United States Environmental Protection Agency, Washington D.C., EPA-340/1-88-003.
- l) ~~m)~~ "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations", December 1988, United States Environmental Protection Agency, Washington D.C., EPA-450/3-88-018.
- m) ~~n)~~ "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-029.
- n) ~~o)~~ "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", Appendix B, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051.
- o) ~~p)~~ "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners", United States Environmental Protection Agency, Washington, D.C., EPA-450/3-82-009.
- q) "APTI Course SI417 Controlling Volatile Organic Compound Emissions from Leaking Process Equipment", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-82-015.
- r) "Portable Instrument User's Manual for Monitoring VOM Sources", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-015.
- s) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOM and VHAP", United States Environmental Protection Agency, Washington, D.C., EPA-450/3-88-010.
- t) "Petroleum Refinery Enforcement Manual", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-008.

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u) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-012.

v) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026.

w) "Technical Guidance-Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities", United States Environmental Protection Agency, Washington, D.C., EPA-450/3-91-022b.

x) California Air Resources Board, Compliance Division. Compliance Assistance Program: Gasoline Marketing and Distribution: Gasoline Facilities Phase I & II (October 1988, rev. March 1991) (CARB Manual).

(Source: 1993)

Amended at 17 Ill. Reg. 16918, effective September 27, 1993

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

## Section 219.121 Storage Containers

No person shall cause or allow the storage of any VOL with a vapor pressure of 17.24 kPa (2.5 psia) or greater at 294.3°K (70°F) or any gaseous organic material in any stationary tank, reservoir or other container of more than 151 cubic meters (40,000 gal) capacity unless such tank, reservoir or other container:

- a) Is a pressure tank capable of withstanding the vapor pressure of such liquid or the pressure of the gas, so as to prevent vapor or gas loss to the atmosphere at all times; or,
- b) Is designed and equipped with one of the following vapor loss control devices:

- 1) A floating roof which rests on the surface of the VOL and is equipped with a closure seal or seals between the roof edge and the tank wall. Such floating roof shall not be permitted if the VOL has a vapor pressure of 86.19 kPa (12.5 psia) or greater at 294.3°K (70°F). No person shall cause or allow the emission of air contaminants into the

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atmosphere from any gauging or sampling devices attached to such tanks, except during sampling or maintenance operations.

- 2) A vapor recovery system consisting of:

- A) A vapor gathering system capable of collecting 85% or more of the uncontrolled VOM that would be otherwise emitted to the atmosphere; and,
- B) A vapor disposal system capable of processing such VOM so as to prevent its emission to the atmosphere. No person shall cause or allow the emission of air contaminants into the atmosphere from any gauging or sampling devices attached to such tank, reservoir or other container except during sampling.

- 3) Other equipment or means of equal efficiency approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 219.108 of this Part.

(Source: 1993)  
Amended at 17 Ill. Reg. 16918, effective September 27, 1993

## Section 219.122 Loading Operations

- a) No person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere during the loading of any organic material from the aggregate loading pipes of any loading facility area having through-put of greater than 151 cubic meters per day (40,000 gal/day) into any railroad tank car, tank truck or trailer unless such loading facility area is equipped with submerged loading pipes, submerged fill or a device that is equally effective in controlling emissions and is approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 219.108 of this Part.

- b) No person shall cause or allow the loading of any organic material into any stationary tank having a storage capacity of greater than 946 l (250 gal), unless such tank is equipped with a permanent submerged loading pipe, submerged fill or an equivalent device approved by the





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- 6) A record of the results of each inspection conducted under subsection (b)(4) or (b)(5) of this Section is maintained.

~~e) Owners and operators of petroleum liquid storage tanks were required to have compliance schedules as summarized in Appendix C to 35 Ill. Adm. Code 215.~~

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## Section 219.124 External Floating Roofs

- a) In addition to meeting the requirements of Section 219.123(b) of this Part, no owner or operator of a stationary storage tank equipped with an external floating roof shall cause or allow the storage of any volatile petroleum liquid in the tank unless:

- 1) The tank has been fitted:

A) fitted with a continuous secondary seal extending from the floating roof to the tank wall (rim mounted secondary seal), or

B) With any other device which controls VOC emissions with an effectiveness equal to or greater than a rim mounted secondary seal; equipment or means of equal efficiency approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 219.108 of this Part.

- 2) Each seal closure device meets the following requirements:

A) The seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and tank wall; and

B) The accumulated area of gaps exceeding 0.32 centimeter (1/8 inch) in width between the secondary seal and the tank wall shall not exceed 21.2 square centimeters per meter of tank diameter (1.0 square inches per foot of tank diameter). Compliance with this

i) Physically measuring the length and width of all gaps around the entire circumference of the secondary seal in each place where a 0.32 cm (0.125 in.) uniform diameter probe passes freely (without forcing or binding against the seal) between the seal and the tank wall; and

ii) Summing the area of the individual gaps.

- 3) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers across at least 90 percent of the area of the opening;

- 4) Openings are equipped with projections into the tank which remain below the liquid surface at all times;

- 5) Inspections are conducted prior to May 1 of each year to insure compliance with subsection (a) of this Section;

- 6) The secondary seal gap is measured prior to May 1 of each year and within 30 days of a written request to demonstrate compliance with subsection (2)(B) of this Section;

- 7) Records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, the results of the inspections and the results of the secondary seal gap measurements are maintained and available to the Agency, upon verbal or written request, at any reasonable time for a minimum of two years after the date on which the record was made.

b) Subsection (a) above does not apply to any stationary storage tank equipped with an external floating roof:

- 1) Exempted under Section 219.123(a)(2) through 219.123(a)(6) of this Part;

- 2) Of welded construction equipped with a metallic type shoe seal having a secondary seal from the top

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of the shoe seal to the tank wall (shoe-mounted secondary seal);

3) Of welded construction equipped with a metallic type shoe seal, a liquid-mounted foam seal, a liquid-mounted liquid-filled-type seal, or other closure device of equivalent control efficiency approved by the Agency in which a petroleum liquid with a true vapor pressure less than 27.6 kPa (4.0 psia) at 294.3°K (70°F) is stored; or

4) Used to store crude oil with a pour point of 50°F or higher as determined by ASTM Standard D97-66 incorporated by reference in Section 219.112 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.125 Compliance Dates (Repealed)

~~Every owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart B, as of December 31, 1997 shall have complied with its standards and limitations by December 31, 1997.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.126 Compliance Plan (Repealed)

a) ~~The owner or operator of an emission source previously subject to Section 215.125 shall have submitted to the Agency a compliance plan as required by 35 Ill. Adm. Code 201.241, including a project completion schedule where applicable, no later than April 21, 1993.~~

b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source subject to the rules specified in subsection (a) may operate the emission source according to the plan and schedule as submitted.~~

e) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201.241 including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27,

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## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

## Section 219.141 Separation Operations

a) No person shall use any single or multiple compartment effluent water separator which receives effluent water containing 757 l/day (200 gal/day) or more of organic material from any equipment processing, refining, treating, storing or handling organic material unless such effluent water separator is equipped with air pollution control equipment capable of reducing by 85 percent or more the uncontrolled organic material emitted to the atmosphere. Exception: If no odor nuisance exists the limitations of this subsection shall not apply if the vapor pressure of the organic material is below 17.24 kPa (2.5 psia) at 294.3°K (70°F).

b) Subsection (a) of this Section shall not apply to water and crude oil separation in the production of Illinois crude oil, if the vapor pressure of such crude oil is less than 34.5 kPa (5 psia).

(Source: Amended at 17 Ill. Reg. 16918 effective September 27, 1993)

## Section 219.143 Vapor Blowdown

No person shall cause or allow the emission of organic material into the atmosphere from any vapor blowdown system or any safety relief valve, except such safety relief valves not capable of causing an excessive release, unless such emission is controlled:

a) To 10 ppm equivalent methane (molecular weight 16.0) or less; or,

b) By combustion in a smokeless flare; or,

c) By other air pollution control equipment approved by the Agency according to the provisions of 35 Ill. Adm. Code 201, and further processed consistent with Section 219.108 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)



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## Section 219.144 Safety Relief Valves

open top vapor degreasing, and conveyORIZED degreasing operations which use volatile organic materials.

Section 219.143 of this Part shall not apply to any set of unregulated safety relief valves capable of causing excessive releases, provided the owner or operator thereof, by October 1, 1972, supplied the Agency with the following:

a) A historical record of each such set (or, if such records were unavailable, of similar sets which, by virtue of operation under similar circumstances, may reasonably have been presumed to have the same or greater frequency of excessive releases) for a three-year period immediately preceding October 1, 1972, indicating:

- 1) Dates on which excessive releases occurred from each such set; and
- 2) Duration in minutes of each such excessive release; and

3) Quantities (in pounds) of mercaptans and/or hydrogen sulfide emitted into the atmosphere during each such excessive release.

b) Proof, using such three-year historical records, that no excessive release is likely to occur from any such set either alone or in combination with such excessive releases from other sets owned or operated by the same person and located within a ten-mile radius from the center point of any such set, more frequently than 3 times in any 12 month period;

c) Accurate maintenance records pursuant to the requirements of subsection (a) of this Section; and,

d) Proof, at three-year intervals, using such three-year historical records, that such set conforms to the requirements of subsection (c) of this Section.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993.)

## SUBPART E: SOLVENT CLEANING

## Section 219.181 Solvent Cleaning in General

The requirements of this Subpart shall apply to all cold cleaning,

## Section 219.182 Cold Cleaning

a) Operating Procedures: No person shall operate a cold cleaning degreaser unless:

- 1) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;

2) The cover of the degreaser is closed when parts are not being handled; and

3) Parts are drained until dripping ceases.

b) Equipment Requirements: No person shall operate a cold cleaning degreaser unless:

- 1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:

A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F);

B) The solvent is agitated; or

C) The solvent is heated above ambient room temperature.

2) The degreaser is equipped with a facility device for draining cleaned parts. The drainage facility device shall be constructed so that parts are enclosed under the cover while draining unless:

A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C

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(100°F); or

B) An internal drainage facility device cannot be fitted into the cleaning system, in which case the drainage facility device may be external.

3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C (100°F) or if the solvent is heated above 50°C (120°F) or its boiling point:

A) A freeboard height of 7/10 of the inside width of the tank or 91 cm (36 in), whichever is less; or

B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 219.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.

4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## Section 219.183

## Open Top Vapor Degreasing

a) Operating Requirements: No person shall operate an open top vapor degreaser unless:

1) The cover of the degreaser is closed when workloads are not being processed through the degreaser;

2) Solvent carryout emissions are minimized by:

A) Racking parts to allow complete drainage;

B) Moving parts in and out of the degreaser at

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less than 3.3 m/min (11 ft/min);

C) Holding the parts in the vapor zone until condensation ceases;

D) Tipping out any pools of solvent on the cleaned parts before removal from the vapor zone; and

E) Allowing parts to dry within the degreaser until visually dry.

3) Porous or absorbent materials, such as cloth, leather, wood or rope are not degreased;

4) Less than half of the degreaser's open top area is occupied with a workload;

5) The degreaser is not loaded to the point where the vapor level would drop more than 10 cm (4 in) when the workload is removed from the vapor zone;

6) Spraying is done below the vapor level only;

7) Solvent leaks are repaired immediately;

8) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;

9) Water is not visually detectable in solvent exiting from the water separator; and

10) Exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreaser open area is not used, unless necessary to meet the requirements of the Occupational Safety and Health Act (29 U.S.C. Section 651 et seq.).

b) Equipment Requirements: No person shall operate an open top vapor degreaser unless:

1) The degreaser is equipped with a cover designed to open and close easily without disturbing the vapor zone;

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- 2) The degreaser is equipped with the following switches:
- A) ~~A device~~One which shuts off the sump heat source if the amount of condenser coolant is not sufficient to maintain the designed vapor level; and
- B) ~~A device~~One which shuts off the spray pump if the vapor level drops more than 10 cm (4 in) below the bottom condenser coil; and
- C) ~~A device~~One which shuts off the sump heat source when the vapor level exceeds the design level.
- 3) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser;
- 4) The degreaser is equipped with one of the following devices:
- A) A freeboard height of 3/4 of the inside width of the degreaser tank or 91 cm (36 in), whichever is less; and if the degreaser opening is greater than 1 square meter (10.8 ft<sup>2</sup>), a powered or mechanically assisted cover; or
- B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 219.108 of this Part. Such equipment or system may include a refrigerated chiller, an enclosed design or a carbon adsorption system.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## Section 219.184 Conveyorized Degreasing

- a) Operating Requirements: No person shall operate a conveyorized degreaser unless:
- 1) Exhaust ventilation exceeding 20 cubic meters per minute per square meter (65 cubic feet per minute per square foot) of area of loading and unloading

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- opening is not used, unless necessary to meet the requirements of the Occupational Safety and Health Act (29 U.S.C. Section 651 et seq.);
- 2) Solvent carryout emissions are minimized by:
- A) Racking parts for best drainage; and
- B) Maintaining the vertical conveyor speed at less than 3.3 m/min (11 ft/min);
- 3) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;
- 4) Solvent leaks are repaired immediately;
- 5) Water is not visually detectable in solvent exiting from the water separator; and
- 6) Downtime covers are placed over entrances and exits of conveyorized degreasers immediately after the conveyors and exhausts are shut down and not removed until just before start-up.
- b) Equipment Requirements: No person shall operate a conveyorized degreaser unless:
- 1) The degreaser is equipped with a drying tunnel, rotating (tumbling) basket or other equipment sufficient to prevent cleaned parts from carrying out solvent liquid or vapor;
- 2) The degreaser is equipped with the following switches:
- A) ~~A device~~One which shuts off the sump heat source if the amount of condenser coolant is not sufficient to maintain the designed vapor level;
- B) ~~A device~~One which shuts off the spray pump or the conveyor if the vapor level drops more than 10 cm (4 in) below the bottom condenser coil; and



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- C) ~~A device~~One which shuts off the sump heat source when the vapor level exceeds the design level;

- 3) The degreaser is equipped with openings for entrances and exits that silhouette workloads so that the average clearance between the parts and the edge of the degreaser opening is less than 10 cm (4 in) or less than 10 percent of the width of the opening;

- 4) The degreaser is equipped with downtime covers for closing off entrances and exits when the degreaser is shut down; and

- 5) The degreaser is equipped with one of the following control devices, if the air/vapor interface is larger than 2.0 square meters (21.6 ft<sup>2</sup>):

- A) A carbon adsorption system with ventilation greater than or equal to 15 cubic meters per minute per square meter (50 cubic feet per minute per square foot) of air/vapor area when downtime covers are open, and exhausting less than 25 ppm of solvent by volume averaged over a complete adsorption cycle; or

- B) Any other equipment or system of equivalent emission control as approved by the Agency, and further processed consistent with Section 219.108 of this Part. Such equipment or system may include a refrigerated chiller.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## Section 219.185 Compliance Schedule (Repealed)

~~Every owner or operator of an emission source which was previously exempt from the requirements of Subpart E of 35 Ill. Adm. Code 215 (Sections 215.102-215.104) because it satisfied the criteria in either 35 Ill. Adm. Code 215.101(a) or 35 Ill. Adm. Code 215.101(b), shall comply with the requirements of this Subpart on and after a date consistent with Section 219.106. A source which did not satisfy the criteria in either 35 Ill. Adm. Code 215.101(a) or 35 Ill. Adm. Code 215.101(b) shall comply with the requirements of this Subpart upon adoption.~~

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(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.186 Test Methods

The following test methods shall be used to demonstrate compliance with this Subpart:

- a) Vapor pressures shall be determined by using the procedure specified in Section 219.110 of this Part.
- b) Exhaust ventilation rates shall be determined by using the procedures specified in Section 219.105(f)(3) of this Part.

- c) The performance of control devices shall be determined by using the procedures specified in Section 219.105(f) of this Part.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## SUBPART F: COATING OPERATIONS

## Section 219.204 Emission Limitations for Manufacturing Plants

Except as provided in Sections 219.205, 219.207 and 219.208 of this Part, no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the following emission limitations for the specified coating. The following emission limitations are expressed in units of VOM per volume of coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied at each coating applicator, except where noted. Compounds which are specifically exempted from the definition of VOM should be treated as water for the purpose of calculating the "less water" part of the coating composition. Compliance with this Subpart must be demonstrated through the applicable coating analysis test methods and procedures specified in Section 219.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 219.211(c) of this Part. (Note: The equation presented in Section 219.206 of this Part shall be used to calculate emission limitations for determining compliance by add-on controls, credits for transfer efficiency, emissions trades and cross-line averaging.) The emission limitations are as follows:

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shall have submitted to the USEPA a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. The proposal shall have included, at a minimum, a comprehensive plan (including a rationale) for determining the transfer efficiency at each booth through the use of in-plant, or pilot testing; the selection of coatings to be tested (for the purpose of determining transfer efficiency) including the rationale for coating groupings; and the method for determining the analytic VOM content of as-applied coatings and the formulation solvent content of as-applied coatings. Upon approval of the protocol by the USEPA, the source may proceed with the compliance demonstration. Section 219.205 of this Part does not apply to the topcoat limitation.)

- a) Automobile or Light-Duty Truck Coating
- |                         |          |           |
|-------------------------|----------|-----------|
|                         | kg/l     | lb/gal    |
| 1) Prime coat           | 0.14     | (1.2)     |
| 2) Primer surfacer coat | 0.341.81 | (2.815.1) |
- (Note: The primer surfacer coat limitation is based upon a transfer efficiency of 30 percent. The use of transfer efficiency credits can be allowed only if approved by the Agency and approved by the USEPA as a GIP revision in units of kg (lbs) of VOM per l (gal) of coating solids deposited. Compliance with the limitation shall be based on the daily-weighted average from an entire primer surfacer operation. Compliance shall be demonstrated in accordance with the topcoat protocol referenced in Section 219.105(b) and the recordkeeping and reporting requirements specified in Section 219.211(f). Testing to demonstrate compliance shall be performed in accordance with the topcoat protocol and a detailed testing proposal approved by the Agency and USEPA specifying the method of demonstrating compliance with the protocol. Section 219.205 does not apply to the primer surfacer limitation.)

- b) Can Coating
- |                                      |      |        |
|--------------------------------------|------|--------|
|                                      | kg/l | lb/gal |
| 4) Final repair coat                 | 0.58 | (4.8)  |
| 1) Sheet basecoat and overvarnish    | 0.34 | lb/gal |
| 2) Exterior basecoat and overvarnish | 0.34 | (2.8)  |
| 3) Interior body spray coat          | 0.51 | (4.2)  |
| 4) Exterior end coat                 | 0.51 | (4.2)  |
| 5) Side seam spray coat              | 0.66 | (5.5)  |
| 6) End sealing compound coat         | 0.44 | (3.7)  |
- c) Paper Coating
- |               |      |        |
|---------------|------|--------|
|               | kg/l | lb/gal |
| Paper Coating | 0.35 | (2.9)  |

(Note: The paper coating limitation shall not apply to any owner or operator of any paper coating line on which printing is performed if the paper coating line complies with the emissions limitations in Subpart H: Printing and Publishing, Sections 219.401 through 219.404.) of this Part.)

kg/l lb/gal

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- d) Coil Coating 0.31 (2.6)
- e) Fabric Coating 0.35 (2.9)
- f) Vinyl Coating 0.45 (3.8)
- g) Metal Furniture Coating 0.36 (3.0)
- h) Large Appliance Coating 0.34 (2.8)

(Note: The limitation shall not apply to the use of quick-drying lacquers for repair of scratches and nicks that occur during assembly, provided that the volume of coating does not exceed 0.95 l (1 quart) in any one rolling eight-hour period.)

- i) Magnet Wire Coating kg/l 1b/gal  
0.20 (1.7)

- j) Miscellaneous Metal Parts and Products Coating kg/l 1b/gal  
0.52 (4.3)

- 1) Clear coating 0.42 (3.5)
- 2) Air-dried coating 0.42 (3.5)
- 3) Extreme performance coating 0.42 (3.5)
- 4) Steel pail and drum interior coating 0.52 (4.3)
- 45) All other coatings 0.36 (3.0)

- k) Heavy Off-Highway Vehicle Products Coating kg/l 1b/gal

- 1) Extreme performance prime coat 0.42 (3.5)
- 2) Extreme performance top-coat (air dried) 0.42 (3.5)
- 3) Final repair coat (air dried) 0.42 (3.5)
- 4) All other coatings are subject to the emission limitations for miscellaneous metal parts and products coatings in subsection (j) above.

- 1) Wood Furniture Coating kg/l 1b/gal

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- 1) Clear topcoat 0.67 (5.6)
- 2) Opaque stain 0.56 (4.7)
- 3) Pigmented coat 0.60 (5.0)
- 4) Repair coat 0.67 (5.6)
- 5) Sealer 0.67 (5.6)
- 6) Semi-transparent stain 0.79 (6.6)
- 7) Wash coat 0.73 (6.1)

(Note: An owner or operator of a wood furniture coating operation subject to this Section shall apply all coatings, with the exception of no more than 37.8 l (10 gal) of coating per day used for touch-up and repair operations, using one or more of the following application systems: airless spray application system, air-assisted airless spray application system, electrostatic bell or application system, electrostatic bell or disc-spray application system, heated airless spray application system, roller coating, brush or wipe coating application system, dip coating application system or high volume low pressure (HVLP) application system.)

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.205 Daily-Weighted Average Limitations

No owner or operator of a coating line subject to the limitations of Section 219.204 of this Part and complying by means of this Section shall operate the subject coating line unless the owner or operator has demonstrated compliance with subsections (a), (b), (c), (d), (e) or (f) of this Section (depending upon the source category of coating) through the applicable coating analysis test methods and procedures specified in Section 219.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 219.211(d) of this Part:

- a) No owner or operator of a coating line subject to only one of the limitations from among Section 219.204(a)(1), ~~(a)(2)~~



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(a) (4), (c), (d), (e), (f), (g), (h), or (i) of this Part shall apply coatings on any such coating line, during any day, whose daily-weighted average VOM content exceeds the emission limitation to which the coatings are subject.

- b) No owner or operator of a miscellaneous metal parts and products coating line subject to the limitations of Section 219.204(j) of this Part shall apply coatings to miscellaneous metal parts or products on the subject coating line unless the requirements in subsection (b) (1) or (b) (2) of this Section below are met.

1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 219.204(j) above, during the same day (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

2) For each coating line which applies coatings subject to more than one numerical emission limitation ~~from more than one of the four coating categories in Section 219.204(j) above~~, during the same day, the owner or operator shall have a site-specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986), must be satisfied.

- c) No owner or operator of a can coating ~~facility~~line subject to the limitations of Section 215219.204(b) of this Part shall operate the subject coating ~~facility~~line using a coating with a VOM content in excess of the limitations specified in Section 215219.204(b) of this Part unless all of the following requirements are met:

1) An alternative daily emission limitation for the can coating operation, i.e. for all the can coating lines at the source, shall be determined according to subsection (c) (2) below. Actual daily emissions shall never exceed the alternative daily emission limitation and shall be calculated by use of the

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following equation.

$$E_d = \sum_{i=1}^n V_i C_i$$

where:

$E_d$  = Actual VOM emissions for the day in units of kg/day (lbs/day)  $\tau_i$

$i$  = Subscript denoting a specific coating applied  $\tau_i$

$n$  = Total number of coatings applied in the can coating operation i.e. all can coating lines at the source;

$V_i$  = Volume of each coating applied for the day in units of l/day (gal/day) of coating (minus water and any compounds which are specifically exempted from the definition of VOM);

$C_i$  = The VOM content of each coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM).

- 2) The alternative daily emission limitation ( $A_d$ ) shall be determined for the can coating operation, i.e. for all the can coating lines at the source, on a daily basis as follows:

$$A_d = \sum_{i=1}^n V_i L_i \frac{(D_i - C_i)}{(D_i - L_i)}$$

where:

$A_d$  = The VOM emissions allowed for the day in units of kg/day (lbs/day)  $\tau_i$

$i$  = Subscript denoting a specific

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- coating applied; $\tau_i$
- $n$  = Total number of surface coatings applied in the can coating operation; $\tau_i$
- $C_i$  = The VOM content of each surface coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM); $\tau_i$
- $D_i$  = The density of VOM in each coating applied. For the purposes of calculating  $A_i$ , the density is 0.882 kg VOM/l VOM (7.36 lbs VOM/gal VOM); $\tau_i$
- $V_i$  = Volume of each surface coating applied for the day in units of l (gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM); $\tau_i$
- $L_i$  = The VOM emission limitation for each surface coating applied as specified in Section 219.204(b) of this Part in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM); $\tau_i$

d) No owner or operator of a heavy off-highway vehicle products coating line subject to the limitations of Section 219.204(k) of this Part shall apply coatings to heavy off-highway vehicle products on the subject coating line unless the requirements of subsection (d)(1) or (d)(2) below are met.

- 1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 219.204(k) above, during the same day (e.g., all coatings used on the line are subject to 0.42 kg/l

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[3.5 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

- 2) For each coating line which applies coatings subject to more than one numerical emission limitation in Section 219.204(k) above, during the same day, the owner or operator shall have a site specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986) must be satisfied.

e) No owner or operator of a wood furniture coating line subject to the limitations of Section 219.204(l) of this Part shall apply coatings to wood furniture on the subject coating line unless the requirements of subsection (e)(1) or subsection (e)(2) below, in addition to the requirements specified in the note to Section 219.204(l) of this Part, are met.

- 1) For each coating line which applies multiple coatings, all of which are subject to the same numerical emission limitation within Section 219.204(l) above, during the same day (e.g., all coatings used on the line are subject to 0.67 kg/l [5.6 lbs/gal]), the daily-weighted average VOM content shall not exceed the coating VOM content limit corresponding to the category of coating used, or

- 2) For each coating line which applies coatings subject to more than one numerical emission limitation in Section 219.204(l) above, during the same day, the owner or operator shall have a site specific proposal approved by the Agency and approved by the USEPA as a SIP revision. To receive approval, the requirements of USEPA's Emissions Trading Policy Statement (and related policy) 51 Fed. Reg. 43814 (December 4, 1986) must be satisfied.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27,

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## Section 219.206 Solids Basis Calculation

Limitations in terms of kg (lbs) of VOM emissions per 1 (gal) of solids as applied at each coating applicator shall be determined by the following equation:

$$S = \frac{C}{1 - (C/D)}$$

where:

S = The limitation on VOM emissions in terms of kg VOM/l (lbs VOM/gal) of solids<sub>71</sub>

C = The limitation on VOM emissions in terms of kg/l (lbs/gal) of coating (minus water and any compounds which are specifically excluded from the definition of VOM) specified in Section 219.204<sub>71</sub>

D = The density of VOM in the coating. For the purposes of calculating S, the density is 0.882 kg VOM/l VOM (7.36 lbs VOM/gal VOM).

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993.)

## Section 219.207 Alternative Emission Limitations

- a) Any owner or operator of a coating line subject to Section 219.204 of this Part may comply with this Section, rather than with Section 219.204 of this Part, if a capture system and control device are operated at all times the coating line is in operation and the owner or operator demonstrates compliance with subsections (c), (d), (e), (f), (g) or (h) of this Section (depending upon the source category) through the applicable coating analysis and capture system and control device efficiency test methods and procedures specified in Section 219.105 of this Part and the recordkeeping and reporting requirements specified in Section 219.211(e) of this Part; and the control device is equipped with the applicable monitoring equipment specified in Section 219.105(d) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according

to vendor specifications at all times the control device is in use. A capture system and control device, which does not demonstrate compliance with subsection (c), (d), (e), (f), (g) or (h) of this Section may be used as an alternative to compliance with Section 219.204 of this Part only if the alternative is approved by the Agency and approved by the USEPA as a SIP revision.

## b) Alternative Add-On Control Methodologies

- 1) The coating line is equipped with a capture system and control device that provides 81 percent reduction in the overall emissions of VOM from the coating line and the control device has a 90 percent efficiency, or
- 2) The system used to control VOM from the coating line is demonstrated to have an overall efficiency sufficient to limit VOM emissions to no more than what is allowed under Section 219.204 of this Part. Use of any control system other than an afterburner, carbon adsorption, condensation, or absorption scrubber system can be allowed only if approved by the Agency and approved by the USEPA as a SIP revision. The use of transfer efficiency credits can be allowed only if approved by the Agency and approved by the USEPA as a SIP revision. Baseline transfer efficiencies and transfer efficiency test methods must be approved by the Agency and the USEPA.

Such overall efficiency is to be determined as follows:

- A) e<sub>o</sub> obtain the emission limitation from the appropriate subsection in Section 219.204 of this Part,
- B) e<sub>c</sub> calculate "S" according to the equation in Section 219.206 of this Part,
- C) e<sub>c</sub> calculate the overall efficiency required according to Section 219.105(e) of this Part. For the purposes of calculating this value, according to the equation in Section 219.105(e) (2) of this Part, VOM<sub>i</sub> is equal to the value of "S" as determined above in



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## subsection (b) (2) (B) of this Section.

c) No owner or operator of a coating line subject to only one of the emission limitations from among Section 219.204(a)(1), ~~(a)(2)~~, (a)(4), (c), (d), (e), (f), (g), (h) or (i) of this Part and equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met. No owner or operator of a coating line subject to Section 219.204 (a)(2) or (a)(3) of this Part and equipped with a capture system and control device shall operate the coating line unless the owner or operator demonstrates compliance with the ~~repeat~~ such limitation in accordance with the topcoat protocol ~~for automobile or light-duty trucks~~ referenced in Section 219.105(b) of this Part.

d) No owner or operator of a miscellaneous metal parts and products coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 219.204(j) of this Part (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met.

e) No owner or operator of a heavy off-highway vehicle products coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 219.204(k) (e.g., all coatings used on the line are subject to 0.42 kg/l [3.5 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) above are met.

f) No owner or operator of a wood furniture coating line which applies one or more coatings during the same day, all of which are subject to the same numerical emission limitation within Section 219.204(l) of this Part (e.g., all coatings used on the line are subject to 0.67 kg/l [5.6 lbs/gal]), and which is equipped with a capture system and control device shall operate the subject coating line unless the requirements in subsection (b)(1) or (b)(2) of this section are met. If compliance is

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achieved by meeting the requirements in subsection (b) (2) of this Section, then the provisions in the note to Section 219.204(1) of this Part must also be met.

g) No owner or operator of a can coating facility line and equipped with a capture system and control device shall operate the subject coating facility line unless the requirements in subsection (h)(1) or (h)(2) below are met.

1) An alternative daily emission limitation for the can coating operation, i.e. for all the can coating lines at the source, shall be determined according to Section 219.205(c)(2) of this Part. Actual daily emissions shall never exceed the alternative daily emission limitation and shall be calculated by use of the following equation:

$$E_d = \sum_{i=1}^n V_i C_i (1-F_i)$$

where:

$E_d$  = Actual VOM emissions for the day in units of kg/day (lbs/day)<sub>71</sub>

$i$  = Subscript denoting the specific coating applied<sub>71</sub>

$n$  = Total number of surface coatings as applied in the can coating operation<sub>71</sub>

$V_i$  = Volume of each coating as applied for the day in units of l/day (gal/day) of coating (minus water and any compounds specifically exempted from the definition of VOM)<sub>71</sub>

$C_i$  = The VOM content of each coating as applied in units of kg VOM/l (lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM)<sub>71</sub>

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$F_i$  = Fraction, by weight, of VOM emissions from the surface coating, reduced or prevented from being emitted to the ambient air. This is the overall efficiency of the capture system and control device.

- 2) The coating line is equipped with a capture system and control device that provide 75 percent reduction in the overall emissions of VOM from the coating line and the control device has a 90 percent efficiency.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993.)

## Section 219.208 Exemptions From Emission Limitations

- a) Exemptions for all sourcecoating categories except wood furniture coating. The limitations of this Subpart shall not apply to coating lines within a facilitysource, that otherwise would be subject to the same subsection of Section 219.204 (because they belong to the same sourcecoating category, e.g. can coating), provided that combined actual emissions of VOM from all lines at the facilitysource subject to that subsection never exceed 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices. (For example, can coating lines within a plantsource would not be subject to the limitations of Section 219.204(b) of this Part if the combined actual emissions of VOM from the can coating lines never exceed 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices.) Volatile organic material emissions from heavy off-highway vehicle products coating lines must be combined with VOM emissions from miscellaneous metal parts and products coating lines to determine applicability. Any owner or operator of a coating facilitysource shall comply with the applicable coating analysis test methods and procedures specified in Section 219.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 219.211(a) of this Part if total VOM emissions from the subject coating lines are always less than or equal to 6.8 kg/day (15 lbs/day) before the application of capture systems and control devices and, therefore, are not subject to the limitations of Section 219.204 of this Part. Once a

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category of coating lines at a facilitysource is subject to the limitations in Section 219.204 of this Part, the coating lines are always subject to the limitations in Section 219.204 of this Part.

- b) Applicability for wood furniture coating

- 1) The limitations of this Subpart shall apply to a plantsource's wood furniture coating lines if the plantsource contains process emission sourceunits, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part), V, X, Y, or Z or BB of this Part, which as a group both:

- A) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- B) Are not limited to less than 91 Mg (100 tons) of VOM per calendar year if no air pollution control equipment were used, through production or capacity limitations contained in a federally enforceable construction permit or SIP revision.

- 2) If a plantsource ceases to fulfill the criteria of subsection (b)(1) of this Section, the limitations of Section 219.204(1) of this Part shall continue to apply to any wood furniture coating line which was ever subject to the limitations of Section 219.204(1) of this Part.

- 3) For the purposes of subsection (b) of this Section, an emission sourceunit shall be considered regulated by a Subpart if it is subject to the limitations of that Subpart. An emission sourceunit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart. e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. Its emissions are below the applicability cutoff level or if the source is covered by an exemption.



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- 4) Any owner or operator of a wood furniture coating line to which the limitations of this Subpart are not applicable due to the criteria in subsection (b) of this Section shall, upon request by the Agency or the USEPA, submit records to the Agency and the USEPA within 30 calendar days from the date of the request that document that the coating line is exempt from the limitations of this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.209 Exemption From General Rule on Use of Organic Material

No owner or operator of a coating line subject to the limitations of Section 219.204 of this Part is required to meet the limitations of Subpart G (Section 219.301 or 219.302) of this Part, after the date by which the coating line is required to meet Section 219.204 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.210 Compliance Schedule

Every owner or operator of a coating line (of a type included within Section 219.204 of this Part) shall comply with the requirements of Section 219.204, 219.205, 219.207 or 219.208 and Section 219.211 of this Part in accordance with the appropriate compliance schedule as specified in subsection (a), (b), (c) or (d) below:

- a) No owner or operator of a coating line which is exempt from the limitations of Section 219.204 of this Part because of the criteria in Section 219.208(a) of this Part shall operate said coating line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 219.211(b) of this Part. Wood furniture coating lines are not subject to Section 219.211(b) of this Part.

- b) No owner or operator of a coating line complying by means of Section 219.204 of this Part shall operate said coating line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has

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complied with, and continues to comply with, Sections 219.204 and 219.211(c) of this Part.

- c) No owner or operator of a coating line complying by means of Section 219.205 of this Part shall operate said coating line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 219.205 and 219.211(d) of this Part.

- d) No owner or operator of a coating line complying by means of Section 219.207 of this Part shall operate said coating line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 219.207 and 219.211(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.211 Recordkeeping and Reporting

- a) The VOM content of each coating and the efficiency of each capture system and control device shall be determined by the applicable test methods and procedures specified in Section 219.105 of this Part to establish the records required under this Section.

- b) Any owner or operator of a coating line which is exempted from the limitations of Section 219.204 of this Part because of Section 219.208(a) of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, the owner or operator of a facility coating line or group of coating lines referenced in this subsection (b) of this Section shall certify to the Agency that the facility coating line or group of coating lines is exempt under the provisions of Section 219.208(a) of this Part. Such certification shall include:

- A) A declaration that the facility coating line is exempt from the limitations of Section 219.204 of this Part because of Section 219.208(a) of this Part; and



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- B) Calculations which demonstrate that the combined VOM emissions from all the coating line and all other coating lines in the same category at the facility never exceed 6.8 kg (15 lbs) per day before the application of capture systems and control devices. The following equation shall be used to calculate total VOM emissions:

$$T_i = \sum_{j=1}^m \sum_{i=1}^n (A_i B_i)_j$$

where:

$T_i$  = Total VOM emissions from coating lines at a facility each day before the application of capture systems and control devices in units of kg/day (lbs/day);

$m$  = Number of coating lines at the facility source that otherwise would be subject to the same subsection of Section 219.104 of this Part (because they belong to the same category, e.g., can coating);

$j$  = Subscript denoting an individual coating line;

$n$  = Number of different coatings as applied each day on each coating line at the facility;

$i$  = Subscript denoting an individual coating;

$A_i$  = Weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line at the facility in units of kg VOM/l (lbs VOM/gal);

$B_i$  = Volume of each coating (minus water

and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line at the facility in units of l/day (gal/day). The instrument or method by which the owner or operator accurately measured or calculated the volume of each coating as applied on each coating line each day shall be described in the certification to the Agency.

- 2) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility coating line or group of lines referenced in this subsection shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

A) The name and identification number of each coating as applied on each coating line.

B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.

- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility coating line or group of coating lines exempted from the limitations of Section 219.204 of this Part because of Section 219.208(a) of this Part shall notify the Agency of any record showing that total VOM emissions from the coating facility line or group of coating lines exceed 6.8 kg (15 lbs) in any day before the application of capture systems and control devices by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

- c) Any owner or operator of a coating line subject to the limitations of Section 219.204 of this Part other than Section 219.204(a)(2) and (a)(3) and complying by means of Section 219.204 of this Part shall comply with the

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following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance from an existing subject coating line from Section 219.205 or Section 219.207 to Section 219.204 of this Part; the owner or operator of a subject coating line shall certify to the Agency that the coating line will be in compliance with Section 219.204 of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- C) ~~For coating lines subject to Section 219.204(a)(3) certification shall include:~~
  - i) ~~The name and identification number of each coating line which will comply by means of Section 219.204(a)(3).~~
  - ii) ~~The name and identification number of each coating as applied on each coating line.~~
  - iii) ~~The weight of VOM per volume of each coating as applied on each coating line,~~
  - iv) ~~The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.~~
  - v) ~~The method by which the owner or operator will create and maintain records each day as required in subsection (e)(2) below for coating lines subject to Section~~

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- vi) ~~An example format in which the records required in subsection (e)(2) below for coating lines subject to Section 219.204(a)(3).~~
- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line subject to the limitations of Section 219.204 and complying by means of Section 219.204 shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:
  - A) The name and identification number of each coating as applied on each coating line.
  - B) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
  - C) ~~For coating lines subject to Section 219.204(a)(3) the owner or operator shall maintain all records necessary to calculate the daily weighted average VOM content from the coating line in accordance with the proposal submitted, and approved by the USEPA pursuant to Section 219.204(a)(3).~~
- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:
  - A) Any record showing violation of Section 219.204 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation, except that any record showing a violation of Section 219.204(a)(3) shall be reported by sending a copy of such record to the Agency within 15 days from the end of the month in which the violation occurred.

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- B) At least 30 calendar days before changing the method of compliance with ~~Section 219.204~~ from Section 219.204 to Section 219.205 or Section 219.207 of this Part, the owner or operator shall comply with all requirements of subsection (d)(1) or (e)(1) below, respectively. Upon changing the method of compliance with ~~Section 219.204~~ from Section 219.204 to Section 219.205 or Section 219.207 of this Part, the owner or operator shall comply with all requirements of subsection (d) or (e) of this Section, respectively.

- C) ~~For coating lines subject to Section 219.204(a)(3), the owner or operator shall notify the Agency of any change to the tapecoating operation at least 30 days before the change is effected. The Agency shall determine whether or not determines that recertification testing is required, then the owner or operator shall submit a proposal to the Agency to test within 30 days and retest within 30 days of the Agency's approval of the proposal.~~

- d) Any owner or operator of a coating line subject to the limitations of Section 219.204 of this Part and complying by means of Section 219.205 of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance for an existing subject coating line from Section 219.204 or Section 219.207 to Section 219.205 of this Part, the owner or operator of the subject coating line shall certify to the Agency that the coating line will be in compliance with Section 219.205 on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each coating line which will comply by means of Section 219.205 of this Part.
- B) The name and identification number of each

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- coating as applied on each coating line.
- C) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.
- E) The method by which the owner or operator will create and maintain records each day as required in subsection (d)(2) of this Section.
- F) An example of the format in which the records required in subsection (d)(2) of this Section will be kept.

- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line ~~subject to the limitations of Section 219.204 and complying by means of Section 219.205, shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:~~

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- C) The daily-weighted average VOM content of all coatings as applied on each coating line as defined in Section 219.104 of this Part.
- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the



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following instances:

- A) Any record showing violation of Section 219.205 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- B) At least 30 calendar days before changing the method of compliance with this subpart from Section 219.205 to Section 219.204 or Section 219.207 of this Part, the owner or operator shall comply with all requirements of subsection (c) (1) or (e) (1) of this Section, respectively. Upon changing the method of compliance with this subpart from Section 219.205 to Section 219.204 or Section 219.207 of this Part, the owner or operator shall comply with all requirements of subsection (c) or (e) of this Section, respectively.

e) Any owner or operator of a coating line subject to the limitations of Section 219.207 and complying by means of Section 219.207(c), (d), (e), (f), (g) or (h) of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new coating line, or upon changing the method of compliance for an existing coating line from Section 219.204 or Section 219.205 to Section 219.207 of this Part, the owner or operator of the subject coating line shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject coating line will be in compliance with Section 219.207 of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date.

- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a coating line subject to the limitations of Section 219.207 shall comply with all requirements of subsection (c) or (e) of this Section, respectively. Upon changing the method of compliance with this subpart from Section 219.205 to Section 219.204 or Section 219.207 of this Part, the owner or operator shall comply with all requirements of subsection (c) or (e) of this Section, respectively.

f)

Any owner or operator of a primer surfacer operation or topcoat operation subject to the limitations of Section

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each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The weight of VOM per volume of coating solids as applied each day on each coating line, if complying pursuant to Section 219.207(b) (2) of this Part.
- B) Control device monitoring data.
- C) A log of operating time for the capture system, control device, monitoring equipment and the associated coating line.
- D) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.

3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:

- A) Any record showing violation of Section 219.207 of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- B) At least 30 calendar days before changing the method of compliance with this Subpart from Section 219.207 to Section 219.204 or Section 219.205 of this Part, the owner or operator shall comply with all requirements of subsection (c) (1) or (d) (1) of this Section, respectively. Upon changing the method of compliance with this subpart from Section 219.207 to Section 219.204 or Section 219.205 of this Part, the owner or operator shall comply with all requirements of subsection (c) or (d) of this Section, respectively.

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219.204(a)(2) or (a)(3) of this Part shall comply with the following:

1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new coating operation, the owner or operator of a subject coating operation shall certify to the Agency that the operation will be in compliance with Section 219.204 of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:

A) The name and identification number of each coating operation which will comply by means of Section 219.204(a)(2) and (a)(3) of this Part and the name and identification number of each coating line in each coating operation.

B) The name and identification number of each coating as applied on each coating line in the coating operation.

C) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.

D) The transfer efficiency and control efficiency measured for each coating line.

E) Test reports, including raw data and calculations documenting the testing performed to measure transfer efficiency and control efficiency.

F) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.

G) The method by which the owner or operator will create and maintain records each day as required in subsection (f)(2) below.

H) An example format for presenting the records required in subsection (f)(2) below.

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2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating operation shall collect and record all of the following information each day for each topcoat or primer surfacer coating operation and maintain the information at the source for a period of three years:

A) All information necessary to calculate the daily-weighted average VOM emissions from the coating operations in kg (lbs) per 1 (gal) of coating solids deposited in accordance with the proposal submitted, and approved pursuant to Section 219.204(a)(2) or (a)(3) of this Part including:

i) The name and identification number of each coating as applied on each coating operation.

ii) The weight of VOM per volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating operation.

B) If a control device(s) is used to control VOM emissions, control device monitoring data; a log of operating time for the capture system; control device, monitoring equipment and the associated coating operation; and a maintenance log for the capture system; control device and monitoring equipment; detailing all routine and non-routine maintenance performed including dates and duration of any outages.

3) On and after a date consistent with Section 219.106 of this Part or on and after the initial start-up date, the owner or operator of a subject coating operation shall determine and record the daily VOM emissions in kg(lbs) per 1 (gal) of coating solids deposited in accordance with the proposal submitted and approved pursuant to Section 219.204(a)(2) or (a)(3) of this Part within 10 days from the end of the month and maintain this information at the



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source for a period of three years.

- 4) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject coating operation shall notify the Agency in the following instances:

A) Any record showing a violation of Section 219.204(a)(2) or (a)(3) of this Part shall be reported by sending a copy of such record to the Agency within 15 days from the end of the month in which the violation occurred.

B) The owner or operator shall notify the Agency of any change to the operation at least 30 days before the change is effected. The Agency shall determine whether or not compliance testing is required. If the Agency determines that compliance testing is required, then the owner or operator shall submit a testing proposal to the Agency within 30 days and test within 30 days of the approval of the proposal by the Agency and USEPA.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART G: USE OF ORGANIC MATERIAL

## Section 219.301 Use of Organic Material

No person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere from any emission sourceunit, except as provided in Sections 219.302, 219.303, 219.304 of this Part and the following exception: If no odor nuisance exists the limitation of this Subpart shall apply only to photochemically reactive material.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.302 Alternative Standard

Emissions of organic material in excess of those permitted by Section 219.301 of this Part are allowable if such emissions are controlled by one of the following methods:

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- a) Flame, thermal or catalytic incineration so as either to reduce such emissions to 10 ppm equivalent methane (molecular weight 16) or less, or to convert 85 percent of the hydrocarbons to carbon dioxide and water; or,
- b) A vapor recovery system which adsorbs and/or condenses at least 85 percent of the total uncontrolled organic material that would otherwise be emitted to the atmosphere; or,
- c) Any other air pollution control equipment approved by the Agency and approved by the USEPA as a SIP revision capable of reducing by 85 percent or more the uncontrolled organic material that would be otherwise emitted to the atmosphere.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.303 Fuel Combustion Emission SourcesUnits

The provisions of Sections 219.301 and 219.302 of this Part shall not apply to fuel combustion emission sourceunits.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.304 Operations with Compliance Program

The provisions of Sections 219.301 and 219.302 of this Part shall not apply to any owner, operator, user or manufacturer of paint, varnish, lacquer, coatings or printing ink whose compliance program and project completion schedule, as required by 35 Ill. Adm. Code 201, provided for the reduction of organic material used in such process to 20 percent or less of total volume by May 30, 1977.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART H: PRINTING AND PUBLISHING

## Section 219.401 Flexographic and Rotogravure Printing

- a) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line



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shall apply at any time any coating or ink unless the VOM content does not exceed the limitation specified in either subsection (a)(1) or (a)(2) below. Compliance with this Section must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 219.105(a) and the recordkeeping and reporting requirements specified in Section 219.404(c) of this Part. As an alternative to compliance with this subsection, a subject printing line may meet the requirements of subsection (b) or (c) below.

- 1) Forty percent VOM by volume of the coating and ink (minus water and any compounds which are specifically exempted from the definition of VOM), or
- 2) Twenty-five percent VOM by volume of the volatile content in the coating and ink.

b) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line shall apply coatings or inks on the subject printing line unless the weighted average, by volume, VOM content of all coatings and inks as applied each day on the subject printing line does not exceed the limitation specified in either subsection (a)(1) (as determined by subsection (b)(1)) or subsection (a)(2) (as determined by subsection (b)(2) of this Section). Compliance with this subsection must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 219.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 219.404(d) of this Part.

- 1) The following equation shall be used to determine if the weighted average VOM content of all coatings and inks as applied each day on the subject printing line exceeds the limitation specified in subsection (a)(1) of this Section.

$$VOM_{10(A)} = \frac{\sum_{i=1}^n C_i L_i (V_{si} + V_{VOMi})}{n}$$

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$$\sum_{i=1}^n L_i (V_{si} + V_{VOMi})$$

Where:

- $VOM_{10(A)}$  = The weighted average VOM content in units of percent VOM by volume of all coatings and inks (minus water and any compounds which are specifically exempted from the definition of VOM) used each day.
- $i$  = Subscript denoting a specific coating or ink as applied.
- $n$  = The number of different coatings and/or inks as applied each day on a printing line.
- $C_i$  = The VOM content in units of percent VOM by volume of each coating or ink as applied (minus water and any compounds which are specifically exempted from the definition of VOM).
- $L_i$  = The liquid volume of each coating or ink as applied in units of 1 (gal).
- $V_{si}$  = The volume fraction of solids in each coating or ink as applied.
- $V_{VOMi}$  = The volume fraction of VOM in each coating or ink as applied.
- 2) The following equation shall be used to determine if the weighted average VOM content of all coatings and inks as applied each day on the subject printing line exceeds the limitation specified in subsection (a)(2) of this Section.

$$VOM_{10(B)} = \frac{\sum_{i=1}^n C_i L_i V_{VOMi}}{\sum_{i=1}^n L_i V_{VOMi}}$$

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where:

$VOM_{(i)(th)}$  = The weighted average VOM content in units of percent VOM by volume of the volatile content of all coatings and inks used each day<sub>i</sub>

$i$  = Subscript denoting a specific coating or ink as applied<sub>i</sub>

$n$  = The number of different coatings and/or inks as applied each day on each printing line<sub>i</sub>

$C_i$  = The VOM content in units of percent VOM by volume of the volatile matter in each coating or ink as applied<sub>i</sub>

$L_i$  = The liquid volume of each coating or ink as applied in units of 1 (gal)<sub>i</sub> and<sub>i</sub>

$V_{VMI}$  = The volume fraction of volatile matter in each coating or ink as applied.

- c) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line equipped with a capture system and control device shall operate the subject printing line unless the owner or operator meets the requirements in subsection (c)(1), (c)(2) or (c)(3) and subsections (c)(4), (c)(5) and (c)(6) below.

1) A carbon adsorption system is used which reduces the captured VOM emissions by at least 90 percent by weight, or

2) An incineration system is used which reduces the captured VOM emissions by at least 90 percent by weight, or

3) An alternative VOM emission reduction system is used which is demonstrated to have at least a 90 percent control device efficiency, approved by the Agency and approved by USEPA as a SIP revision, and

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- 4) The printing line is equipped with a capture system and control device that provides an overall reduction in VOM emissions of at least:

- A) 75 percent where a publication rotogravure printing line is employed, or
- B) 65 percent where a packaging rotogravure printing line is employed, or
- C) 60 percent where a flexographic printing line is employed, and

- 5) The control device is equipped with the applicable monitoring equipment specified in Section 219.105(d)(2) of this Part and, except as provided in Section 219.105(d)(3) of this Part, the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in use, and

- 6) The capture system and control device are operated at all times when the subject printing line is in operation. The owner or operator shall demonstrate compliance with this subsection by using the applicable capture system and control device test methods and procedures specified in Section 219.105(c) of this Part through Section 219.105(f) of this Part and by complying with the recordkeeping and reporting requirements specified in Section 219.404(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.402 Applicability

- a) The limitations of Section 219.401 of this Part apply to all flexographic and rotogravure printing lines at a subject facility~~source~~. All facilities~~sources~~ with flexographic and/or rotogravure printing lines are subject facilities~~sources~~ unless:

- 1) Total maximum theoretical emissions of VOM from all flexographic and rotogravure printing line(s) (including solvents used for cleanup operations

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associated with flexographic and rotogravure printing line(s) at the facility source never exceed 90.7 Mg 100 tons) per calendar year before the application of capture systems and control devices, or

- 2) A federally enforceable construction permit or SIP revision for all flexographic and rotogravure printing line(s) at a facility source requires the owner or operator to limit production or capacity of these printing line(s) to reduce total VOM emissions from all flexographic and rotogravure printing line(s) to 90.7 Mg (100 tons) or less per calendar year before the application of capture systems and control devices.

- b) Upon achieving compliance with this Subpart, the emission source is flexographic and rotogravure printing lines are not required to meet Subpart G (Sections 219.301 or 219.302 of this Part). Emission sources flexographic and rotogravure printing lines exempt from this Subpart are subject to Subpart G (Sections 219.301 or 219.302 of this Part). Rotogravure or flexographic equipment used for both roll printing and paper coating is subject to this Subpart.

- c) Once subject to the limitations of Section 219.401 of this Part, a flexographic or rotogravure printing line is always subject to the limitations of Section 219.401 of this Part.

- d) Any owner or operator of any flexographic or rotogravure printing line that is exempt from the limitations of Section 219.401 of this Part because of the criteria in this Section is subject to the recordkeeping and reporting requirements specified in Section 219.404(b) of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.403 Compliance Schedule

Every owner or operator of a flexographic and/or rotogravure printing line shall comply with the applicable requirements of Section 219.401 and Section 219.404 of this Part in accordance with the applicable compliance schedule specified in subsection (a),

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(b), (c) or (d) below:

- a) No owner or operator of a flexographic or rotogravure printing line which is exempt from the limitations of Section 219.401 of this Part because of the criteria in Section 219.402 of this Part shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 219.404(b) of this Part.

- b) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 219.401(a) of this Part shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 219.401(a) of this Part and Section 219.404(c) of this Part.

- c) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 219.401(b) of this Part shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 219.401(b) and Section 219.404(d) of this Part.

- d) No owner or operator of a flexographic or rotogravure printing line complying by means of Section 219.401(c) of this Part shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Section 219.401(c) and Section 219.404(e) of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.404 Recordkeeping and Reporting

- a) The VOM content of each coating and ink and the efficiency of each capture system and control device shall be determined by the applicable test methods and procedures specified in Section 219.105 of this Part to establish the records required under this Section.

- b) Any owner or operator of a printing line which is



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exempted from the limitations of Section 219.401 of this Part because of the criteria in Section 219.402 of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, the owner or operator of a flexographic and rotogravure printing line to which this subsection is applicable shall certify to the Agency that the flexographic and rotogravure printing line is exempt under the provisions of Section 219.402 of this Part. Such certification shall include:

A) A declaration that the flexographic and rotogravure printing line is exempt from the limitations of the criteria in Section 219.401 because of Section 219.402 of this Part, and

B) Calculations which demonstrate that total maximum theoretical emissions of VOM from all flexographic and rotogravure printing lines at the flexographic and rotogravure printing line at (100 tons) per calendar year before the application of capture systems and control devices. Total maximum theoretical emissions of VOM for a flexographic or rotogravure printing flexographic or rotogravure theoretical emissions of VOM from each flexographic and rotogravure printing line at the flexographic. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year before the application of capture systems and control devices for each flexographic and rotogravure printing line at the flexographic:

$$E_p = A \times B + 1095 (C \times D \times F)$$

where:

$E_p$  = Total maximum theoretical emissions of VOM from one flexographic or rotogravure printing line in units of kg/year (lbs/year)<sub>71</sub>

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A = Weight of VOM per volume of solids of the coating or ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of coating or ink solids<sub>71</sub>

B = Total volume of solids for all coatings and inks that can potentially be applied each year on the printing line in units of l/year (gal/year). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each coating and ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency<sub>71</sub>

C = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs VOM/gal) of such material;

D = The greatest volume of cleanup material or solvent used in any 8-hour period; and

F = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

2)

On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility referenced in this subsection shall collect and record all of the following information each year for each printing line and maintain the information at the flexographic source for a period of three years:

A) The name and identification number of each coating and ink as applied on each printing

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line.

- B) The VOM content and the volume of each coating and ink as applied each year on each printing line.

- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility exempted from the limitations of Section 219.401 of this Part because of the criteria in Section 219.402 of this Part shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all printing lines exceed 90.7 Mg (100 tons) in any calendar year before the application of capture systems and control devices by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

- c) Any owner or operator of a printing line subject to the limitations of Section 219.401 of this Part and complying by means of Section 219.401(a) of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance from an existing subject printing line from Section 219.401(b) or Section 219.401(c) to Section 219.401(a) of this Part, the owner or operator of a subject printing line shall certify to the Agency that the printing line will be in compliance with Section 219.401(a) of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each coating and ink as applied on each printing line.
- B) The VOM content of each coating and ink as applied each day on each printing line.

- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line

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subject to the limitations of Section 219.401 of this Part and complying by means of Section 219.401(a) of this Part shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating and ink as applied on each printing line.

- B) The VOM content of each coating and ink as applied each day on each printing line.

- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

- A) Any record showing violation of Section 219.401(a) of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.

- B) At least 30 calendar days before changing the method of compliance with Section 219.401 of this Part from Section 219.401(a) to Section 219.401(b) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (b)(1) or (c)(1) or (d)(1) or (e)(1) of this Section, respectively. Upon changing the method of compliance with Section 219.401 of this Part from Section 219.401(a) to Section 219.401(b) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (b)(d) or (e) of this Section, respectively.

- d) Any owner or operator of a printing line subject to the limitations of Section 219.401 of this Part and complying by means of Section 219.401(b) of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for

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an existing subject printing line from Section 219.401(a) or (c) to Section 219.401(b) of this Part, the owner or operator of the subject printing line shall certify to the Agency that the printing line will be in compliance with Section 219.401(b) of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:

- A) The name and identification number of each printing line which will comply by means of Section 219.401(b) of this Part.
  - B) The name and identification number of each coating and ink available for use on each printing line.
  - C) The VOM content of each coating and ink as applied each day on each printing line.
  - D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating and ink as applied each day on each printing line.
  - E) The method by which the owner or operator will create and maintain records each day as required in subsection ~~(b)(d)(2)~~ of this Section.
  - F) An example of the format in which the records required in subsection ~~(b)(d)(2)~~ of this Section will be kept.
- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of Section 219.401 and complying by means of Section 219.401(b) of this Part shall collect and record all of the following information each day for each printing line and maintain the information at the ~~facility~~source for a period of three years:

- A) The name and identification number of each coating and ink as applied on each printing

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line.

- B) The VOM content and the volume of each coating and ink as applied each day on each printing line.
  - C) The daily-weighted average VOM content of all coatings and inks as applied on each printing line.
- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:
- A) Any record showing violation of Section 219.401(b) of this Part shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
  - B) At least 30 calendar days before changing the method of compliance with Section 219.401 of this Part from Section 219.401(b) to Section 219.401(a) or 219.401(c) of this Part, the owner or operator shall comply with all requirements of subsection (c)(1) or (e)(1) of this Section, respectively. Upon changing the method of compliance with Section 219.401 of this Part from Section 219.401(b) to Section 219.401(a) or (c) of this Part, the owner or operator shall comply with all requirements of subsection (c) or (e) of this Section, respectively.

- e) Any owner or operator of a printing line subject to the limitations of Section 219.401 of this Part and complying by means of Section 219.401(c) of this Part shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from Section 219.401(a) or (b) to Section 219.401(c) of this Part, the owner or operator of the subject printing line



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shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with Section 219.401(c) of this Part on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date.

- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of Section 219.401 of this Part and complying by means of Section 219.401(c) of this Part shall collect and record all of the following information each day for each printing line and maintain the information at the facility for a period of three years:

- A) Control device monitoring data.
- B) A log of operating time for the capture system, control device, monitoring equipment and the associated printing line.
- C) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.

- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

- A) Any record showing violation of Section 219.401(c) of this Part, shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.

- B) At least 30 calendar days before changing the method of compliance with Section 219.401 of this Part from Section 219.401(c) to Section 219.401(a) or (b) of this Part, the owner or operator shall comply with all requirements of

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subsection (c)(1) or (d)(1) of this Section, respectively. Upon changing the method of compliance with Section 219.401 of this Part from Section 219.401(c) to Section 219.401(a) or (b) of this Part, the owner or operator shall comply with all requirements of subsection (c) or (d) of this Section, respectively.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.405 Heatset-Web-Offset Lithographic Printing

## a) Applicability

- 1) The limitations of subsection (b) below apply to all heatset-web-offset lithographic printing lines at a subject facility. All facilities sources with heatset-web-offset lithographic printing lines are subject facilities sources unless:

- A) Total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at the facility source never exceed 90.7 Mg (100 tons) per calendar year in the absence of air pollution control equipment, or
- B) A federally enforceable construction permit or SIP revision for all heatset-web-offset lithographic printing lines(s) at a facility source requires the owner or operator to limit production or capacity of these printing line(s) to reduce total VOM emissions from all heatset-web-offset lithographic printing line(s) to 90.7 Mg (100 tons) per calendar year or less in the absence of air pollution control equipment, and

- 2) Any owner or operator of any heatset-web-offset lithographic printing line that is exempt from the limitations in subsection (b) of this Section because of the criteria in subsection (a)(1) of

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this Section shall be subject to the recordkeeping and reporting requirements in subsection (c) (1) of this Section.

b) Specific Provisions. No owner or operator of a subject heatset-web-offset printing line may cause or allow the operation of the subject heatset-web-offset printing line unless the owner or operator meets the requirements in subsection (b) (1) or (b) (2) and the requirements in subsections (b) (3) and (b) (4) below.

1) An afterburner system is installed and operated that reduces 90 percent of the VOM emissions from the dryer exhaust, or

2) The fountain solution contains no more than 8 percent, by weight, of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust, and

3) The control device is equipped with the applicable monitoring equipment specified in Section 219.105(d) (2) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in use, and

4) The control device is operated at all times when the subject printing line is in operation. The owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 219.105(a), (d), and (f) of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (c) below.

c) Recordkeeping and Reporting. The VOM content of each fountain solution and ink and the efficiency of each control device shall be determined by the applicable test methods and procedures specified in Section 219.105 of this Part to establish the records required under this subsection.

1) Any owner or operator of a printing line which is exempted from the limitations of subsection (b) of

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this Section because of the criteria in subsection (a) of this Section shall comply with the following:

A) By a date consistent with Section 219.106 of this Part, the owner or operator of a facility heatset-web-offset lithographic printing line to which subsection (c) (1) of this Section is applicable shall certify to the Agency that the facility is heatset- web-offset lithographic printing line exempt under the provisions of subsection (a) of this Section. Such certification shall include:

i) A declaration that the facility heatset- web-offset lithographic printing line is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section, and

ii) Calculations which demonstrate that total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines at the facility source never exceed 90.7 Mg (100 tons) per calendar year before the application of air pollution control equipment. Total maximum theoretical emissions of VOM for a heatset- web-offset lithographic printing facility source is the sum of maximum theoretical emissions of VOM from each heatset-web-offset lithographic printing line at the facility. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year in the absence of air pollution control equipment for each heatset-web-offset lithographic printing line at the facility source.

$$E_p = (A \times B) + \frac{(C \times D) + 1095}{100} (F \times G \times H)$$

where:

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E<sub>p</sub> = Total maximum emissions of VOM from one heatset-web-offset printing line in units of kg/year (lbs/year)-i

F = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs VOM/gal) of such material;

A = Weight of VOM per volume of solids of ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of solids; and;

G = The greatest volume of cleanup material or solvent used in any 8-hour period; and

B = Total volume of solids for all inks that can potentially be applied each year on the printing line in units of l/year (gal/year). The instrument or method by which the owner or operator accurately measured or calculated the volume of each ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency-i

H = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

B) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility heatset-web-offset lithographic printing line to which subsection (c)(1) of this Section is applicable shall collect and record all of the following information each year for each printing line and maintain the information at the facility source for a period of three years:

C = The weight percent VOM of the fountain solution with the highest VOM content-i

i) The name and identification of each fountain solution and ink as applied on each printing line.

D = The total volume of fountain solution that can potentially be used each year on the printing line in units of l/year (gal/year). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each fountain solution used and the amount that can potentially be used each year on the printing line shall be described in the certification to the Agency-i

ii) The VOM content and the volume of each fountain solution and ink as applied each year on each printing line.

C) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a facility heatset-web-offset lithographic printing line exempted from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all printing lines exceed 90.7 Mg (100 tons) in any calendar year in the absence of air pollution control equipment by sending



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a copy of such record to the Agency within 30 days after the exceedance occurs.

- 2) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall comply with the following:
  - A) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (b)(2) to subsection (b)(1) of this Section; the owner or operator of the subject printing line shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(1) of this Section on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date.
  - B) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall collect and record the following information each day for each printing line and maintain the information at the facility source for a period of three years:
    - i) Control device monitoring data.
    - ii) A log of operating time for the control device, monitoring equipment and the associated printing line.
    - iii) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages.

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- C) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:
  - i) Any record showing violation of subsection (b)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
  - ii) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3)(A) of this Section. Upon changing the method of compliance with subsection (b) from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3) of this Section.
- 3) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall comply with the following:
  - A) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (b)(1) to (b)(2) of this Section; the owner or operator of the subject printing line shall perform all tests and submit to the Agency and the USEPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(2) of this Section on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date.
  - B) On and after a date consistent with Section 219.106 of this Part, or on and after the

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initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall collect and record the following information each day for each printing line and maintain the information at the facility source for a period of three years:

- i) The VOM content of the fountain solution used each day on each printing line.
- ii) A log of operating time for the control device and the associated printing line.
- iii) A maintenance log for the control device detailing all routine and non-routine maintenance performed including dates and duration of any outages.

c) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

- i) Any record showing violation of subsection (b)(2) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.

- ii) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (c)(2)(A) of this Section. Upon changing the method of compliance with subsection (b) from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (c)(2) of this Section.

d) Compliance Schedule. Every owner or operator of a

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heatset-web-offset lithographic printing line shall comply with the applicable requirements of subsections (b) and (c) of this Section in accordance with the applicable compliance schedule specified in subsection (d)(1), (d)(2), or (d)(3) below:

- 1) No owner or operator of a heatset-web-offset lithographic printing line which is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b)(a)(1) and (c)(1) of this Section.

- 2) No owner or operator of a heatset-web-offset lithographic printing line complying by means of subsection (b)(1) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b)(2)(b)(1), (b)(3), (b)(4) and (c)(2) of this Section.

- 3) No owner or operator of a heatset-web-offset lithographic printing line complying by means of subsection (b)(2) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b)(2), (b)(3), (b)(4) and (c)(3) of this Section.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT PLANT

## Section 219.421

## General Requirements

The owner or operator of a plant which processes more than 3660 mg/yr (4033 tons/year) gaseous and light liquid VOM, and whose components are used to manufacture the synthetic organic chemicals or polymers listed in Appendix A, shall comply with this Subpart. The provisions of this Subpart are applicable to components



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containing 10 percent or more by weight VOM as determined by ASTM method E-168, E-169 and E-260, incorporated by reference in Section 219.112 of this Part. Those components that are not process unit components are exempt from this Subpart. A component shall be considered to be leaking if the VOM is equal to, or is greater than 10,000 ppmv as methane or hexane as determined by USEPA Reference Method 21, as specified at 40 CFR 60, Appendix A, incorporated by reference in Section 219.112 of this Part, indication of liquids dripping, or indication by a sensor that a seal or barrier fluid system has failed. The provisions of this Subpart are not applicable if the equipment components are used to produce heavy liquid chemicals only from heavy liquid feed or raw materials.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.422 Inspection Program Plan for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to Section 219.421 of this Part shall prepare an inspection program plan which contains, at a minimum:

- a) An identification of all components and the period in which each will be monitored pursuant to Section 219.423 of this Part.
- b) The format for the monitoring log required by Section 219.425 of this Part.
- c) A description of the monitoring equipment to be used when complying with Section 219.423 of this Part, and
- d) A description of the methods to be used to identify all pipeline valves, pressure relief valves in gaseous service, all leaking components, and components exempted under Section 219.423 of this Part such that they are obvious and can be located by both plant personnel performing monitoring and Agency personnel performing inspections.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.423 Inspection Program for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to this Subpart shall, for the

purposes of detecting leaks, conduct a component inspection program using the test methods specified in Method 21, 40 CFR 60, Appendix A (1986), incorporated by reference in Section 219.112 of this Part, consistent with the following provisions:

- a) Test annually those components operated near extreme temperature or pressure such that they would be unsafe to routinely monitor and those components which would require the elevation of monitoring personnel higher than two meters above permanent worker access structures or surfaces.
- b) Test quarterly all other pressure relief valves in gas service, pumps in light liquid service, valves in light liquid service and in gas service, and compressors.
- c) If less than or equal to 2 percent of the valves in light liquid service and in gas service tested pursuant to subsection (b) of this Section are found not to leak for five consecutive quarters, no leak tests shall be required for three consecutive quarters. Thereafter, leak tests shall resume for the next quarter. If that test shows less than or equal to 2 percent of the valves in light liquid service and in gas service are leaking, then no tests are required for the next three quarters. If more than 2 percent are leaking, then tests are required for the next five quarters.
- d) Observe visually all pump seals weekly.
- e) Test immediately any pump seal from which liquids are observed dripping.
- f) Test any relief valve within 24 hours after it has vented to the atmosphere.
- g) Routine instrument monitoring of valves which are not externally regulated, flanges, and equipment in heavy liquid service, is not required. However, any valve which is not externally regulated, flange or piece of equipment in heavy liquid service that is found to be leaking on the basis of sight, smell or sound shall be repaired as soon as practicable but no later than 30 days after the leak is found.
- h) Test immediately after repair any component that was



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## found leaking.

i) Within one hour of its detection, a weatherproof, readily visible tag, in bright colors such as red or yellow, bearing an identification number and the date on which the leak was detected must be affixed on the leaking component and remain in place until the leaking component is repaired.

j) The following components are exempt from the monitoring requirements in this Section:

- 1) Any component that is in vacuum service, and
- 2) Any pressure relief valve that is connected to an operating flare header or vapor recovery device.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.424

## Repairing Leaks

All leaking components must be repaired and retested as soon as practicable but no later than 15 days after the leak is found unless the leaking component cannot be repaired until the process unit is shut down. Records of repairing and retesting must be maintained in accordance with Section 219.425 and 219.426 of this Part.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

## Section 219.425 Recordkeeping for Leaks

a) The owner or operator of a synthetic organic chemical or polymer manufacturing plant shall maintain a leaking components monitoring log which shall contain, at a minimum, the following information:

- 1) The name of the process unit where the component is located;
- 2) The type of component (e.g., valve, seal);

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- 3) The identification number of the component;
- 4) The date on which a leaking component is discovered;
- 5) The date on which a leaking component is repaired;
- 6) The date and instrument reading of the recheck procedure after a leaking component is repaired;
- 7) A record of the calibration of the monitoring instrument;
- 8) The identification number of leaking components which cannot be repaired until process unit shutdown; and
- 9) The total number of valves in light liquid service and in gas service inspected; the total number and the percentage of these valves found leaking during the monitoring period.

b) Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report was prepared.

c) Copies of the monitoring log shall be made available to the Agency upon verbal or written request, prior to or at the time of inspection pursuant to Section 4(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 198991, ch. 111½, pars. 1001 et seq.) [415 ILCS 5/1 et seq.] at any reasonable time.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.426 Report for Leaks

The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to Section 219.421 through 219.430 of this Part shall:

- a) Submit quarterly reports to the Agency on or before March 31, June 30, September 30, and December 31 of each year, listing all leaking components identified pursuant to Section 219.423 of this Part but not repaired within 15

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- 1) A closed purge system or closed vent system shall return purged process fluid to the process line with no detectable volatile organic material emissions to the atmosphere, or
- 2) A closed purge system or closed vent system shall collect and recycle purged process fluid to the process line with no detectable volatile organic material emissions to the atmosphere, or
- 3) Purged process fluid shall be transported to a control device that complies with the requirements of Section 219.429 of this Part. If a container is used to transport purged process fluid to the control device, the container shall be a closed container designed and used to reduce the VOM emissions vented from purged process fluid after transfer to no detectable VOM emissions as determined by USEPA Reference Method 21, as specified in 40 CFR 60, Appendix A (1990 or 1991) incorporated by reference in Section 219.112 of this Part. For purposes of this Section, the phrase "after transfer" shall refer to the time at which the entire amount of purged process fluid resulting from a flushing or cleaning of the sample line enters the container, provided, however, that purged process fluid may be transferred from the initial container to another closed container prior to disposal, e.g., to a bulk waste storage container.

- b) Submit a signed statement with the report attesting that all monitoring and repairs were performed as required under Section 219.421 through 219.427 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993 )

Section 219.427 Alternative Program for Leaks

The Agency shall approve an alternative program of monitoring, recordkeeping, or reporting to that prescribed in this subpart upon a demonstration by the owner or operator of such plant that the alternative program will provide plant-source personnel and Agency personnel with an equivalent ability to identify and repair leaking components. Any alternative program can be allowed when approved by the Agency and approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993 )

Section 219.428 Open-Ended Valves

~~e) In-situ sampling systems are exempt from subsection (e).~~  
(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993 )

- a) Each open-ended valve shall be equipped with a cap, blind flange, plug, or a second valve, except during operations requiring fluid flow through the open-ended valve.

- b) Each open-ended valve equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

Section 219.429 Standards for Control Devices

Control devices used to comply with Section 219.428(c) of this Part shall comply with the following:

- a) If the control device is a vapor recovery system (for example, condensers and adsorbers), it shall be designed and operated to recover the volatile organic material emissions vented to it with an efficiency of 95 percent or greater.

- c) Components which are open-ended valves and which serve as a sampling connection shall be controlled such that they comply with subsection (c)(1), (c)(2) or (c)(3) below. This requirement does not apply to in-situ sampling systems.+

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b) If the control device is an enclosed combustion device, it shall be designed and operated to reduce the volatile organic material emissions vented to it with an efficiency of 95 percent or greater, or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816°C.

c) If the control device is a flare, it shall:

1) Be designed for and operated with no visible emissions as determined by USEPA Reference Method 22, 40 CFR 60, Appendix A (1986), incorporated by reference in Section 219.112 of this Part, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

2) Be operated with a pilot flame present at all times and shall be monitored with a thermocouple or any other equivalent device to detect the presence of the pilot flame.

3) Be steam-assisted, air-assisted, or nonassisted.

4) Be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be calculated using the following equation:

$$H_i = \sum_{i=1}^n K C_i H_i$$

Where:

$H_i$  = Net heating value of the sample in MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C- $i$ .

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$K = \text{Constant, } 1.740 \times 10^{-7} \text{ (1/ppm) (g-mole/scm) (MJ/Kcal)}$

where

standard temperature for (g-mole/scm) is 20°C- $i$

$C_i$  = Concentration of sample component  $i$ , in ppm, as measured by USEPA Reference Method 18, 40 CFR 60, Appendix A (1986), and ASTM D 2504-83, both incorporated by reference in Section 219.112 of this Part- $i$

$H_i$  = Net heat of combustion of sample component  $i$ , kcal/g mole. The heats of combustion may be determined using ASTM D 2382-83, incorporated by reference in Section 219.112 of this Part, if published values are not available or cannot be calculated.

5) Steam-assisted and nonassisted flares shall be designed and operated with an exit velocity, as determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by USEPA Reference Method 2 or 2A, 40 CFR 60, Appendix A (1986) incorporated by reference in Section 219.112 of this Part, as appropriate; by the unobstructed (free) cross sectional area of the flare tip, less than 18 m/sec (60 ft/sec).

6) Air-assisted flares shall be designed and operated with an exit velocity less than the maximum permitted velocity,  $V_{\max}$ , as determined by the following equation:

$$\begin{aligned} V_{\max} &= 8.706 + 0.7084 (H_i) - i \\ V_{\max} &= \text{Maximum permitted velocity, m/sec-}i \\ &= 8.706 \\ &= 0.7084 \\ H_i &= \text{The net heating value as determined in subsection} \end{aligned}$$



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## (c) (4) of this section.

d) If the control device is a closed container, it shall be designed and operated to reduce the volatile organic material emissions, vented from purged process fluid after transfer, to no detectable volatile organic material emissions as determined by US EPA Reference Method 21 as specified at 40 CFR 60, Appendix A (1986) incorporated by reference in Section 219.112, for purposes of this Section, the phrase "after transfer" shall refer to the time at which the entire amount of purged process fluid resulting from a flushing or cleaning of the sample line enters the closed container or containers including the final container(s) prior to disposal. The following information pertaining to closed vent systems and control devices subject to Section 219.429 shall be maintained by the owner or operator. These records shall be updated as necessary to describe current operation and equipment. The records shall be retained as a readily accessible location at the source for a minimum of two years after the control device is permanently shutdown.

1) Detailed schematics, design specifications, and piping and instrumentation diagrams;

2) The dates and description of any changes in design specifications;

3) A description of the parameter or parameters monitored and recorded as required in subsection (f)(1) to ensure that the control devices are operated and maintained in conformance with their design and an explanation why that parameter (or parameters) was selected for monitoring.

e) The owner or operator of a control device shall monitor the control device to ensure that it is operated and maintained in conformance with the manufacturer's specifications, modified to the particular process design.

f) The control device shall be operated at all times when emissions may be vented to it.

g) Owners and operators of control devices used to comply with this Subpart shall monitor each control device to

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ensure that the control device is operated and maintained in conformance with its designs at all times that emissions may be vented to it. This monitoring shall be conducted in accordance with Section 219.429(d)(3). The records prepared as part of this monitoring activity shall include the dates of startup and shutdown of control devices and identify periods when the devices are not operated as designed, including periods when a flare pilot light does not have a flame.

g) The requirements of subsections (d), (e) and (f) shall not apply to a combustion device located at the source used for disposal of purged process fluid which is subject to the Burning of Hazardous Waste in Boilers and Industrial Furnaces (BIF) rules, 40 CFR Parts 260, 261, 264, 265, 266 and 270, or which is subject to the Resource Conservation and Recovery Act (RCRA) rules, 35 Ill. Adm. Code Parts 703, 720, 721, 724, 725 and 726. The owner or operator of such combustion device shall satisfy applicable provisions of the RCRA or BIF rules.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993 )

Section 219.430 Compliance Date (Repealed)

~~The owner or operator of a synthetic organic chemical or polymer manufacturing plant subject to 35 Ill. Adm. Code 215.430 through 215.438 as of December 31, 1987 shall have complied with the standards and limitations of those Sections no later than December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993 )

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES;  
ASPHALT MATERIALS

Section 219.441 Petroleum Refinery Waste Gas Disposal

a) Except as provided in subsection (b) or (c) of this Section, no person shall cause or allow the discharge of organic materials in excess of 100 ppm equivalent methane (molecular weight 16.0) into the atmosphere from:

1) Any catalyst regenerator of a petroleum cracking system; or

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- 2) Any petroleum fluid coker; or
- 3) Any other waste gas stream from any petroleum or petrochemical manufacturing process.
- b) Exception. Existing sources subject to subsection (a)(3) of this Section may, alternatively, at their election, comply with the organic material emission limitations imposed by 35 Ill. Adm. Code 2159.301 or 2159.302; provided, however, that there shall be no increase in emissions from such sources above the level of emissions in existence on May 3, 1979.

c) New Sources. Sources subject to subsection (a)(3) of this Section, construction of which commenced on or after January 1, 1977, may, at their election, comply with the following emission limitations:

- 1) A maximum of eight pounds per hour of organic material; or
- 2) Emission of organic material in excess of the limitation of subsection (c)(1) of this Section is allowable if such emissions are controlled by air pollution control methods or equipment approved by the Agency capable of reducing by 85 percent or more the uncontrolled organic material that would otherwise be emitted to the atmosphere. Such methods or equipment must be approved by the Agency and approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.443 Wastewater (Oil/Water) Separator

No owner or operator of a petroleum refinery shall operate any wastewater (oil/water) separator at a petroleum refinery unless the separator is equipped with air pollution control equipment capable of reducing by 85 percent or more the uncontrolled organic material emitted to the atmosphere. If no odor nuisance exists, the limitation of this Section shall not apply if the vapor pressure of the organic material is below 10.34 kPa (1.5 psia) at 2094.3°K (70°F) at all times.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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Section 219.445 Leaks: General Requirements

a) The owner or operator of a petroleum refinery shall:

- 1a) Develop a monitoring program plan consistent with the provisions of Section 219.446 of this Part;
- 2b) Conduct a monitoring program consistent with the provisions of Section 219.447 of this Part;
- 3c) Record all leaking components which have a volatile organic material concentration exceeding 10,000 ppm consistent with the provisions of Section 219.448 of this Part;

4d) Identify each component consistent with the monitoring program plan submitted pursuant to Section 219.446 of this Part;

5e) Repair and retest the leaking components as soon as possible within 22 days after the leak is found, but no later than June 1 for the purposes of Section 219.447(a)(1) of this Part, unless the leaking components cannot be repaired until the unit is shut down for turnaround; and

6f) Report to the Agency consistent with the provisions of Section 219.449 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.446 Monitoring Program Plan for Leaks

The owner or operator of a petroleum refinery shall prepare a monitoring program plan which contains, at a minimum:

- a) An identification of all refinery components and the period in which each will be monitored pursuant to Section 219.447 of this Part;
- b) The format for the monitoring log required by Section 219.448 of this Part;
- c) A description of the monitoring equipment to be used pursuant to Section 219.447 of this Part; and



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- d) A description of the methods to be used to identify all pipeline valves, pressure relief valves in gaseous service and all leaking components such that they are obvious to both refinery personnel performing monitoring and Agency personnel performing inspections.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.447 Monitoring Program for Leaks

- a) The owner or operator of a petroleum refinery subject to Section 219.445 of this Part shall, for the purpose of detecting leaks, conduct a component monitoring program consistent with the following provisions:

- 1) Test once between March 1 and June 1 of each year, by methods referenced in Section 219.105(g) of this Part, all pump seals, pipeline valves in liquid service and process drains-i
- 2) Test once each quarter of each calendar year, by methods referenced in Section 219.105(g) of this Part, all pressure relief valves in gaseous service, pipeline valves in gaseous service and compressor seals-i
- 3) Inaccessible valves may be tested once each calendar year instead of once each quarter of each calendar year-i
- 4) Observe visually all pump seals weekly-i
- 5) Test immediately any pump seal from which liquids are observed dripping-i
- 6) Test any relief valve within 24 hours after it has vented to the atmosphere-i and
- 7) Test immediately after repair any component that was found leaking.

- b) Storage tank valves and pressure relief devices connected to an operating flare header or vapor recovery device are exempt from the monitoring requirements in subsection (a) of this Section.

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- c) The Agency may require more frequent monitoring than would otherwise be required by subsection (a) of this Section for components which are demonstrated to have a history of leaking.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.449 Reporting for Leaks

The owner or operator of a petroleum refinery shall:

- a) Submit a report to the Agency prior to the 1st day of both July and September listing all leaking components identified pursuant to Section 219.447 of this Part but not repaired within 22 days, all leaking components awaiting unit turnaround, the total number of components inspected and the total number of components found leaking;
- b) Submit a signed statement with the report attesting that all monitoring and repairs were performed as required under Sections 219.445 through 219.448 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.450 Alternative Program for Leaks

The Agency may approve an alternative program of monitoring, recordkeeping or reporting to that prescribed in Sections 219.446 through 219.449 of this Part upon a demonstration by the owner or operator of a petroleum refinery that the alternative program will provide refinery, Agency and USEPA personnel with an equivalent ability to identify and repair leaking components. Any alternative program can be allowed only if approved by the USEPA as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.452 Compliance Schedule for Leaks

The owner or operator of a petroleum refinery shall adhere to the increments of progress contained in the following schedule:

- a) Submit to the Agency a monitoring program consistent with



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Section 219.446 of this Part prior to July 1, 1991 or a date consistent with Section 219.106 of this Part.

- b) Submit to the Agency the first monitoring report pursuant to Section 219.449 of this Part prior to August 1, 1991 or a date consistent with Section 219.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 218.453 Compliance Dates (Repealed)

~~Every owner or operator of a petroleum refinery subject to 35 Ill. Adm. Code 215, Subpart R as of December 31, 1987 shall have complied with its standards and limitations by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

## Section 219.461 Manufacture of Pneumatic Rubber Tires

The owner or operator of an undertread cementing, treadend cementing or bead dipping operation at a pneumatic rubber tire manufacturing facility shall install and operate:

- a) A capture system, with minimum capture efficiency of 65 percent by weight of VOM for treadend cementing or bead dipping operations and a capture system with a minimum capture efficiency of 55.5 percent by weight of VOM for undertread cementing; and

- b) A control device that meets the requirements of one of the following:

- 1) A carbon adsorption system designed and operated in a manner such that there is at least a 90 percent removal of VOM by weight from the gases ducted to the control device;
- 2) An afterburning system that oxidizes at least 90 percent of the captured nonmethane VOM (VOM measured as total combustible carbon) to carbon dioxide and water; and
- 3) An alternative VOM emission reduction system

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demonstrated to have at least a 90 percent overall reduction efficiency and approved by the Agency and approved by the USEPA.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.462 Green Tire Spraying Operations

The owner or operator of a green tire spraying operation at a pneumatic rubber tire manufacturing facility shall:

- a) Install and operate:

- 1) A capture system with a minimum capture efficiency of 90 percent by weight of VOM; and
- 2) A control device that meets the requirements of one of the following:

- A) A carbon adsorption system designed and operated in a manner such that there is at least 90 percent removal of VOM by weight from the basegases ducted to the control device;
- B) An afterburning system that oxidizes at least 90 percent of the captured nonmethane VOM (measured as total combustible carbon) to carbon dioxide and water; or
- C) An alternative VOM emission reduction system demonstrated to have at least a 90 percent overall reduction efficiency approved by the Agency and approved by the USEPA as a SIP revision.

- b) Substitute for the normal solvent-based mold release compound water-based sprays containing:

- 1) No more than five percent by volume of VOM as applied for the inside of tires;
- 2) No more than ten percent by volume of VOM as applied for the outside of tires.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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## Section 219.463 Alternative Emission Reduction Systems

In lieu of complying with Section 219.461 or 219.462 of this Part, the owner or operator of an emission source may utilize an alternative volatile organic emission reduction system, including an alternative production process, which is demonstrated to be equivalent to Section 219.461 or 219.462 of this Part on the basis of emissions of volatile organic matter material. A treadend cementing operation shall be considered equivalent to Section 219.461 or 219.462 of this Part for the purposes of this Section if the total volatile organic emission from such operation is 10 grams or less per tire.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.464 Testing and Monitoring Emission Testing

a) Upon a reasonable request by the Agency, the owner or operator of a VOM emission source required to comply with a limit of Sections 219.461 through 219.464 of this Part shall conduct emissions testing, at such person's own expense, to demonstrate compliance.

b) A person planning to conduct a VOM emission test to demonstrate compliance shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so the Agency may observe the test.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 218.465 Compliance Dates (Repealed)

~~Every owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart 5, as of December 31, 1987, shall have complied with its standards and limitations by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.466 Compliance Plan (Repealed)

a) ~~The owner or operator of an emission source shall have submitted to the Agency a compliance plan, pursuant to 35 Ill. Adm. Code 201, Subpart H, including a project~~

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~~completion schedule where applicable, no later than April 21, 1983.~~

- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source may operate the emission source according to the plan and schedule as submitted.~~
- c) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H, including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART T: PHARMACEUTICAL MANUFACTURING

## Section 219.480 Applicability

a) The rules of this Subpart, except for Sections 219.483 through 219.485, apply to all emission source units of VOM, including but not limited to reactors, distillation units, dryers, storage tanks for VOL, equipment for the transfer of VOL, filters, crystallizers, washers, laboratory hoods, pharmaceutical coating operations, mixing operations and centrifuges used in manufacturing, including packaging, of pharmaceuticals, and emitting more than 6.8 kg/day (15 lbs/day) and more than 2,268 kg/year (2.5 tons/year) of VOM. If such an emission source unit emits less than 2,268 kg/year (2.5 tons/year) of VOM, the requirements of this Subpart still apply to the emission source unit if VOM emissions from the emission source unit exceed 45.4 kg/day (100 lbs/day).

b) ~~Notwithstanding subsection (a), the air suspension coater/dryer, fluid bed dryers, tunnel dryers, and Acetacetos located in Libertyville Township, Lake County, Illinois shall be exempt from the rules of this Subpart, except for Sections 219.483 through 219.485, if emissions of VOM not vented to air pollution control equipment do not exceed the following levels:~~

- 1) ~~for the air suspension coater/dryer: 2,268 kg/year (2.5 tons/year);~~
- 2) ~~for each fluid bed dryer: 4,535 kg/year (5.0 tons/year);~~

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- 3) ~~for each tunnel dryer at 6,803 kg/year (7.5 tons/year), and~~
- 4) ~~for each Accelerator at 6,803 kg/year (7.5 tons/year).~~

e)b) Sections 219.483 through 219.485 of this Part apply to a ~~plant~~ source having one or more emission ~~sources~~ units that:

- 1) Are used to manufacture pharmaceuticals, and
- 2) Emit more than 6.8 kg/day (15 lbs/day) of VOM and more than 2,268 kg/year (2.5 tons/year) of VOM, or, if less than 2,268 kg/year (2.5 tons/year), these Sections still apply if emissions from one or more sources exceed 45.4 kg/day (100 lbs/day).

e)c) No owner or operator shall violate any condition in a permit when the condition results in exclusion of an emission ~~source~~ unit from this Subpart.

e)d) Any pharmaceutical manufacturing source that becomes subject to the provisions of this Subpart at any time shall remain subject to the provisions of this Subpart at all times.

e)f) Emissions subject to this Subpart shall be controlled at all times consistent with the requirements set forth in this Subpart.

e)g) Any control device required pursuant to this Subpart shall be operated at all times when the source it is controlling is operated.

e)h) Determinations of daily and annual emissions for purposes of this Section shall be made using both data on the hourly emission rate (or the emissions per unit of throughput) and appropriate daily and annual data from records of emission ~~source~~ unit operation (or material throughput or material consumption data). In the absence of representative test data pursuant to Section 219.487 of this Part for the hourly emission rate (or the emissions per unit of throughput), such items shall be calculated using engineering calculations, including the methods described in Appendix B of "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products" (EPA-450/2-78-029), incorporated

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by reference in Section 219.112 of this Part. (This subsection shall not affect the Agency's or the USEPA's authority to require emission tests to be performed pursuant to Section 219.487 of this Part.)

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993.)

Section 219.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers

a) The owner or operator shall equip all reactors, distillation units, crystallizers, centrifuges and vacuum dryers that are used to manufacture pharmaceuticals with surface condensers or other air pollution control equipment listed in subsection (b) of this Section. If a surface condenser is used, it shall be operated such that the condenser outlet gas temperature does not exceed:

- 1) 248.2°K (-13°F) when condensing VOM of vapor pressure greater than 40.0 kPa (5.8 psi) at 294.3°K (70°F), or
- 2) 258.2°K (5°F) when condensing VOM of vapor pressure greater than 20.0 kPa (2.9 psi) at 294.3°K (70°F), or
- 3) 273.2°K (32°F) when condensing VOM of vapor pressure greater than 10.0 kPa (1.5 psi) at 294.3°K (70°F), or
- 4) 283.2°K (50°F) when condensing VOM of vapor pressure greater than 7.0 kPa (1.0 psi) at 294.3°K (70°F), or
- 5) 298.2°K (77°F) when condensing VOM of vapor pressure greater than 3.45 kPa (0.5 psi) at 294.3°K (70°F).

b) If a scrubber, carbon adsorber, thermal afterburner, catalytic afterburner, or other air pollution control equipment other than a surface condenser is used, such equipment shall provide a reduction in the emissions of VOM of 90 percent or more.

c) The owner or operator shall enclose all centrifuges used



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to manufacture pharmaceuticals and that have an exposed VOL surface, where the VOM in the VOL has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3°K (70°F), except as production, sampling, maintenance, or inspection procedures require operator access.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters

a) The owner or operator of an air dryer or production equipment exhaust system used to manufacture pharmaceuticals shall control the emissions of VOM from such emission ~~sources~~ units by air pollution control equipment which reduces by 90 percent or more the VOM that would otherwise be emitted into the atmosphere.

b) The owner or operator shall enclose all rotary vacuum filters and other filters used to manufacture pharmaceuticals and that have an exposed VOL surface, where the VOM in the VOL has a vapor pressure of 3.45 kPa (0.5 psi) or more at 294.3°K (70°F), except as production, sampling, maintenance, or inspection procedures require operator access.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.483 Material Storage and Transfer

The owner or operator of a pharmaceutical manufacturing ~~plants~~ source shall:

a) Provide a vapor balance system that is at least 90 percent effective in reducing VOM emissions from truck or railcar deliveries to storage tanks with capacities equal to or greater than 7.57 m<sup>3</sup> (2,000 gal) that store VOL with vapor pressures greater than 28.0 kPa (4.1 psi) at 294.3°K (70°F), and

b) Install, operate, and maintain pressure/vacuum conservation vents set at 0.2 kPa (0.03 psi) or greater on all storage tanks that store VOL with vapor pressures greater than 10 kPa (1.5 psi) at 294.3°K (70°F).

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(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.485 Leaks

The owner or operator of a pharmaceutical manufacturing ~~plants~~ source shall repair any component from which a leak of VOL can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found. If the leaking component cannot be repaired until the process unit is shut down, the leaking component must then be repaired before the unit is restarted.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.486 Other Emission ~~Sources~~ Units

The owner or operator of a washer, laboratory hood, tablet coating operation, mixing operation or any other process emission ~~source~~ unit not subject to Sections 219.481 through 219.485 of this Part, and used to manufacture pharmaceuticals shall control the emissions of VOM from such emission ~~sources~~ units by:

a) Air pollution control equipment which reduces by 81 percent or more the VOM that would otherwise be emitted to the atmosphere, or

b) A surface condenser which captures all the VOM which would otherwise be emitted to the atmosphere and which meets the requirements of Section 219.481(a) of this Part and ~~(b)~~.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.487 Testing

a) Upon request by the Agency or the USEPA, the owner or operator of any VOM ~~emission~~ source subject to this Subpart or exempt from this Subpart by virtue of the provisions of Section 219.480 of this Part shall, at his own expense, demonstrate compliance to the Agency and the USEPA by the methods or procedures listed in Section 219.105(f)(1) of this Part.

b) A person planning to conduct a VOM emissions test to

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demonstrate compliance with this Subpart shall notify the Agency and the USEPA of that intent not less than 30 calendar days before the planned initiation of the test.

(Source: Amended at 17, Ill. Reg. 16918, effective September 27, 1993)

#### Section 219.489 Recordkeeping for Air Pollution Control Equipment

- a) The owner or operator of a pharmaceutical manufacturing ~~facility~~ source shall maintain the following records:
- 1) Parameters listed in Section 219.488(a) of this Part ~~(1)~~ shall be recorded.
  - 2) For ~~source~~ emission units subject to Section 219.481 of this Part, the vapor pressure of VOM being controlled shall be recorded for every process.
- b) For any leak subject to Section 219.485 of this Part which cannot be readily repaired within one hour after detection, the following records shall be kept:
- 1) The name of the leaking equipment,
  - 2) The date and time the leak is detected,
  - 3) The action taken to repair the leak, and
  - 4) The date and time the leak is repaired.
- c) The following records shall be kept for emission ~~source~~ units subject to Section 219.484 of this Part which contain VOL:
- 1) For maintenance and inspection:
    - A) The date and time each cover is opened,
    - B) The length of time the cover remains open, and
    - C) The reason why the cover is opened.
  - 2) For production and sampling, detailed written

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procedures or manufacturing directions specifying the circumstances under which covers may be opened and the procedures for opening covers.

- d) For each emission ~~source~~ unit used in the manufacture of pharmaceuticals for which the owner or operator of a pharmaceutical manufacturing ~~plant~~ source claims emission standards are not applicable, because the emissions are below the applicability cutoffs in Section 219.480(a) or 219.480(b) of this Part, the owner or operator shall:
- 1) Maintain a demonstration including detailed engineering calculations of the maximum daily and annual emissions for each such emission ~~source~~ unit showing that the emissions are below the applicability cutoffs in Section 219.480(a) or 219.480(b) of this Part, as appropriate, for the current and prior calendar years;
  - 2) Maintain appropriate operating records for each such emission source to identify whether the applicability cutoffs in Section 219.480(a) or 219.480(b) of this Part, as appropriate, are ever exceeded; and
  - 3) Provide written notification to the Agency and the USEPA within 30 days of a determination that such an emission ~~source~~ unit has exceeded the applicability cutoffs in Section 219.480(a) or 219.480(b) of this Part, as appropriate.
- e) Records required under subsection (a) of this Section shall be maintained by the owner or operator for a minimum of two years after the date on which they are made.
- f) Copies of the records shall be made available to the Agency or the USEPA upon verbal or written request.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART V: AIR OXIDATION PROCESSES

Section 219.521 Definitions (Repealed)

In addition to the definitions of 35 Ill. Adm. Code 211, the

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following definitions apply to this Subpart:

"Air Oxidation Process": any unit process including ammonoxidation and oxychlorination which uses air or a combination of air and oxygen as an oxidant in combination with one or more organic reactants to produce one or more organic compounds.

"Cost Effectiveness": the annual expense for cost of control given process stream divided by the reduction in emissions of organic material of that stream.

"Flow (F)": Vent stream flowrate (scm/min) at a standard temperature of 20°C.

"Full Operating Flowrate": Maximum operating capacity of the facility.

"Hourly Emissions (E)": Hourly emissions reported in kg/hr measured at full operating flowrate.

"Net Heating Value (H)": Vent stream net heating value (MJ/scm), where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of "Flow."

"Process Vent Stream": An emission stream resulting from an air oxidation process.

"Total Resource Effectiveness Index (TRE)": Cost effectiveness in dollars per megagram of controlling any gaseous stream vented to the atmosphere from an air oxidation process divided by \$1600/Mg, using the criteria and methods set forth in this Subpart and Appendices C and D.

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

# Section 219.525 Emission Limitations for Air Oxidation Processes

- a) No person shall cause or allow the emission of volatile organic material (VOM) from any process vent stream unless the process vent stream is vented to a combustion

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## device which is designed and operated either:

- 1) To reduce the volatile organic emissions vented to it with an efficiency of at least ninety eight percent (98%) by weight; or
- 2) To emit VOM at a concentration less than twenty parts per million by volume, dry basis.

b) An air oxidation facilities process vent stream for which an existing combustion device is employed to control process VOM emissions are not required to meet the 98 percent emissions limit until the combustion device is replaced for other reasons, which shall be considered to include, but not be limited to, normal maintenance, malfunction, accident, and obsolescence. The combustion device is considered to be replaced when:

- 1) All of the device is replaced; or
- 2) When the cost of the repair of the device or the cost of replacement of part of the device exceeds 50% of the cost of replacing the entire device with a device which complies.

c) The limitations of subsection (a) above do not apply to any process vent stream or combination of process vent streams which has a Total Resource Effectiveness Index (TRE) greater than 1.0, as determined by the following methods:

- 1) If an air oxidation process has more than one process vent stream, TRE shall be based upon a combination of the process vent streams.
- 2) TRE of a process vent stream shall be determined according to the following equation:

$$TRE = E^{-1} [a + bF^n + cF + dFH + e(FH)^a + fF^{0.5}]$$

where:

$$n = 0.88;$$

$$TRE = \text{Total resource effectiveness index};$$

$$F = \text{Vent stream flowrate (scm/min)}, \text{ at a}$$



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standard temperature of 20°C-1

E = Hourly measured emissions in kg/hr-1

H = Net heating value of vent stream (MJ/scm), where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of "Flow"-1

a, b, c,  
d, e  
and f

= Coefficients obtained by use of  
Appendix F-D.

3) For nonchlorinated process vent streams, if the net heating value, H, is greater than 3.6 MJ/scm, F shall be replaced by F' for purposes of calculating TRE. F' is computed as follows:

$$F' = FH / 3.6$$

where F and H are as defined in subsection (c)(2).

4) The actual numerical values used in the equation described in subsection (c)(2) above shall be determined as follows:

A) All reference methods and procedures for determining the flow, (F), hourly emissions, (E), and net heating, (H), value shall be in accordance with Appendix C.

B) All coefficients described in subsection (c)(2) of this Section shall be in accordance with Appendix D.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.527 Compliance Date (Repealed)

~~Each owner or operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart V, as of December 31, 1987 shall have complied with the standards and limitations of 35 Ill. Adm. Code~~

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215, Subpart V, by December 31, 1987.

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART W: AGRICULTURE

Section 219.541 Pesticide Exception

The provisions of Sections 219.301 and 219.302 of this Part shall not apply to the spraying or use of insecticides, herbicides or other pesticides.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART X: CONSTRUCTION

Section 219.562 Paving Operations

The provisions of Sections 219.301 and 219.302 of this Part shall not apply to the application of paving asphalt and pavement marking paint from sunrise to sunset.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART Y: GASOLINE DISTRIBUTION

Section 219.581 Bulk Gasoline Plants

a) Subject to subsection (e) of this Section, no person may cause or allow the transfer of gasoline from a delivery vessel into a stationary storage tank located at a bulk gasoline plant unless:

- 1) The delivery vessel and the stationary storage tank are each equipped with a vapor collection system that meets the requirements of subsection (d)(4) of this Section.

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- 2) Each vapor collection system is operating<sub>7i</sub>
  - 3) The delivery vessel displays the appropriate sticker pursuant to the requirements of Sections 219.584 (b) or (d) of this Part<sub>7i</sub>
  - 4) The pressure relief valve(s) on the stationary storage tank and the delivery vessel are set to release at no less than 0.7 psi or the highest pressure allowed by state or local fire codes or the guidelines of the National Fire Prevention Association<sub>7i</sub> and
  - 5) The stationary storage tank is equipped with a submerged loading pipe.
- b) Subject to subsection (f) of this Section, no person may cause or allow the transfer of gasoline from a stationary storage tank located at a bulk gasoline plant into a delivery vessel unless:
- 1) The requirements set forth in subsections (a)(1) through (a)(4) of this Section are met<sub>7i</sub>; and
  - 2) Equipment is available at the bulk gasoline plant to provide for the submerged filling of the delivery vessel or the delivery vessel is equipped for bottom loading.
- c) Subject to subsection (e) of this Section, each owner of a stationary storage tank located at a bulk gasoline plant shall:
- 1) Equip each stationary storage tank with a vapor control system that meets the requirements of subsection (a) or (b) of this Section, whichever is applicable<sub>7i</sub>
  - 2) Provide instructions to the operator of the bulk gasoline plant describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunction of a vapor control system<sub>7i</sub>; and
  - 3) Repair, replace or modify any worn out or malfunctioning component or element of design.

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- d) Subject to subsection (e) of this Section, each operator of a bulk gasoline plant shall:
- 1) Maintain and operate each vapor control system in accordance with the owner's instructions<sub>7i</sub>
  - 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system<sub>7i</sub>; and
  - 3) Maintain gauges, meters or other specified testing devices in proper working order<sub>7i</sub>
  - 4) Operate the bulk plant vapor collection system and gasoline loading equipment in a manner that prevents:
    - A) Gauge pressure from exceeding 45.7 cm (18 in.) of water and vacuum from exceeding 15.2 cm (6 in.) of water, as measured as close as possible to the vapor hose connection<sub>7i</sub>; and
    - B) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", Appendix B, EPA 450/ 2-78-051, (incorporated by reference in Section 219.112 of this Part)<sub>7i</sub>; and
  - 5) Avoidable leaks of liquid during loading or unloading operations.
  - 6) Provide a pressure tap or equivalent on the bulk plant vapor collection system in order to allow the determination of compliance with subsection (d)(4)(A) of this Section<sub>7i</sub>; and
- Within 15 business days after discovery of any leak by the owner, the operator, the Agency or the USFPA, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) or (B) of this Section.

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e) The requirements of subsections (a), (c) and (d) of this Section shall not apply to:

- 1) Any stationary storage tank with a capacity of less than 2,177 l (575 gal); or
- 2) Any bulk gasoline plant whose daily gasoline throughput is less than 15,140 l (4,000 gal/day) on a thirty-day rolling average.
- f) The requirements of subsection (b) shall apply only to bulk gasoline plants whose daily gasoline throughput is greater than or equal to 15,140 l (4,000 gal/day) on a thirty-day rolling average.
- g) Any bulk gasoline plant which is ever subject to subsections (a), (b), (c), or (d) of this Section shall always be subject to these paragraphs.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.582 Bulk Gasoline Terminals

a) No person shall cause or allow the transfer of gasoline into any delivery vessel from any bulk gasoline terminal unless:

- 1) The bulk gasoline terminal is equipped with a vapor control system that limits emission of VOM to 80 mg/l (0.00067 lbs/gal) of gasoline loaded;
- 2) The vapor control system is operating and all vapors displaced in the loading of gasoline to the delivery vessel are vented only to the vapor control system;
- 3) There is no liquid drainage from the loading device when it is not in use;
- 4) All loading and vapor return lines are equipped with fittings which are vapor tight; and
- 5) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 219.584(b) or (d) of this Part; or, if the terminal is driver-loaded, the terminal owner or operator

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shall be deemed to be in compliance with this Section when terminal access authorization is limited to those owners and/or operators of delivery vessels who have provided a current certification as required by Section 219.584(c)(3) of this Part.

b) ~~Bulk gasoline terminals were required to take certain actions to achieve compliance which are summarized in 35 Ill. Adm. Code 215, Appendix C.~~

eb) The operator of a bulk gasoline terminal shall:

- 1) Operate the terminal vapor collection system and gasoline loading equipment in a manner that prevents:
  - A) Gauge pressure from exceeding 18 inches of water and vacuum from exceeding 6 inches of water as measured as close as possible to the vapor hose connection; and
  - B) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B, incorporated by reference in Section 219.112 of this Part; and
  - C) Avoidable leaks of liquid during loading or unloading operations.
- 2) Provide a pressure tap or equivalent on the terminal vapor collection system in order to allow the determination of compliance with Section 219.582(d)(1)(A) of this Part; and
- 3) Within 15 business days after discovery of the leak by the owner, operator, or the Agency repair and retest a vapor collection system which exceeds the limits of subsection (c)(1)(A) or (B) of this Section.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.583 Gasoline Dispensing Facilities - Storage Tank



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## Filling Operations

a) Subject to subsection (b) below, no person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing ~~facility~~ operation unless:

- 1) The tank is equipped with a submerged loading pipe; and
- 2) The vapors displaced from the storage tank during filling are processed by a vapor control system that includes one or more of the following:
  - A) A vapor collection system that meets the requirements of subsection (d)(4) below; or
  - B) A refrigeration-condensation system or any other system approved by the Agency and approved by the USEPA as a SIP revision, that recovers at least 90 percent by weight of all vaporized organic material from the equipment being controlled; and
  - C) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 219.584(b) or (d) of this Part.

b) The requirements of subsection (a)(2) above shall not apply to transfers of gasoline to a stationary storage tank at a gasoline dispensing ~~facility~~ operation if:

- 1) The tank is equipped with a floating roof, or other system of equal or better emission control as approved by the Agency and approved by the USEPA as a SIP revision;
- 2) The tank has a capacity of less than 2000 gallons and was in place and operating before January 1, 1979; or
- 3) The tank has a capacity of less than 575 gallons.

c) Subject to subsection (b) above, each owner of a gasoline dispensing ~~facility~~ operation shall:

- 1) Install all control systems and make all process

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modifications required by subsection (a) above;

2) Provide instructions to the operator of the gasoline dispensing ~~facility~~ operation describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunction of a vapor control system; and

3) Repair, replace or modify any worn out or malfunctioning component or element of design.

d) Subject to subsection (b) above, each operator of a gasoline dispensing ~~facility~~ operation shall:

- 1) Maintain and operate each vapor control system in accordance with the owner's instructions;
- 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system;
- 3) Maintain gauges, meters or other specified testing devices in proper working order;
- 4) Operate the vapor collection system and delivery vessel unloading points in a manner that prevents:

A) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B, and

B) Avoidable leaks of liquid during the filling of storage tanks; and

5) Within 15 business days after discovery of the leak by the owner, operator, or the Agency, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) above.

e) ~~Gasoline dispensing facilities were required to take certain actions to achieve compliance which are summarized in 35 Ill. Adm. Code 215. Appendix C.~~

(Source: Amended at 17 Ill. Reg. 16918, effective September 27,

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## Section 219.584 Gasoline Delivery Vessels

- a) Any delivery vessel equipped for vapor control by use of vapor collection equipment:

- 1) Shall have a vapor space connection that is equipped with fittings which are vapor tight;
- 2) Shall have its hatches closed at all times during loading or unloading operations, unless a top loading vapor recovery system is used;
- 3) Shall not internally exceed a gauge pressure of 18 inches of water or a vacuum of 6 inches of water;
- 4) Shall be designed and maintained to be vapor tight at all times during normal operations;
- 5) Shall not be refilled in Illinois at other than:

A) A bulk gasoline terminal that complies with the requirements of Section 219.582 of this Part or

B) A bulk gasoline plant that complies with the requirements of Section 219.581(b) of this Part.

- 6) Shall be tested annually in accordance with Method 27, 40 CFR 60, Appendix A, incorporated by reference in Section 219.105 of this Part. Each vessel must be repaired and retested within 15 business days after discovery of the leak by the owner, operator, or the Agency, when it fails to sustain:

- A) A pressure drop of no more than three inches of water in five minutes; and
- B) A vacuum drop of no more than three inches of water in five minutes.

- b) Any delivery vessel meeting the requirements of subsection (a) of this Section shall have a sticker affixed to the tank adjacent to the tank manufacturer's

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data plate which contains the tester's name, the tank identification number and the date of the test. The sticker shall be in a form prescribed by the Agency, and, for those delivery vessels subject to 35 Ill. Adm. Code 215 as of December 31, 1987 shall have been displayed no later than December 31, 1987.

- c) The owner or operator of a delivery vessel shall:

- 1) Maintain copies of any test required under subsection (a)(6) of this Section for a period of 3 years;
- 2) Provide copies of these tests to the Agency upon request; and
- 3) Provide annual test result certification to bulk gasoline plants and terminals where the delivery vessel is loaded.

- d) Any delivery vessel which has undergone and passed a test in another state which has a USEPA-approved leak testing and certification program will satisfy the requirements of subsection (a) of this Section. Delivery vessels must display a sticker, decal or stencil approved by the state where tested or comply with the requirements of subsection (b) of this Section. All such stickers, decals or stencils shall have been displayed no later than December 31, 1987, for delivery vessels subject to 35 Ill. Adm. Code 215 as of December 31, 1987.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993 )

## Section 219.585 Gasoline Volatility Standards

- a) No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in subsections (b) and (c) of this Section during the regulatory control periods, which shall be July May 1 to August 31 September 15 for retail outlets, wholesale purchaser-consumer facilities, and all other facilities.

- b) The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.50 psi (65-562.07 kPa)

during the regulatory control period in 1990 and each year thereafter.

c) The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitations for gasoline set forth in subsection (b) of this Section by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline.

d) All sampling of gasoline required pursuant to the provisions of this Section shall be conducted by one or more of the following approved methods or procedures which are incorporated by reference in Section 215.105.

- 1) For manual sampling, ASTM D4057;
- 2) For automatic sampling, ASTM D4177;
- 3) Sampling procedures for Fuel Volatility, 40 CFR 80 Appendix D.

e) The Reid vapor pressure of gasoline shall be measured in accordance with either test method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by reference in 35 Ill. Adm. Code 215.219.105112 of this Part. For gasoline - oxygenate blends which contain water-extractable oxygenates, the Reid vapor pressure shall be measured using the dry method test.

f) The ethanol content of ethanol blend gasolines shall be determined by use of one of the approved testing methodologies specified in 40 CFR 80, Appendix F, incorporated by reference in 35 Ill. Adm. Code 215.219.105112 of this Part.

g) Any alternate to the sampling or testing methods or procedures contained in subsections (d), (e), and (f) of this Section must be approved by the Agency, which shall consider data comparing the performance of the proposed alternative to the performance of one or more approved test methods or procedures. Such data shall accompany any request for Agency approval of any alternate test

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procedure. If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test methods or will achieve results equivalent to the approved test methods or procedures, the Agency shall approve the proposed alternative.

h) Each refiner or supplier that distributes gasoline or ethanol blends shall:

- 1) During the regulatory control period, state that the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois complies with the Reid vapor pressure limitations set forth in 35 Ill. Adm. Code 215.219.585(b) and (c) of this Part. Any facility source receiving this gasoline shall be provided with a copy of an invoice, bill of lading, or other documentation used in normal business practice stating that the Reid vapor pressure of the gasoline complies with the State Reid vapor pressure standard.

- 2) Maintain records for a period of one year on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. The Agency shall be provided with copies of such records if requested.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.586 Gasoline Dispensing Facilities Operations - Motor Vehicle Fueling Operations

- a) For the purposes of this section, the following definitions apply.

- 1) Average Monthly Volume means the amount of motor vehicle fuel dispensed per month from a gasoline dispensing facility operation based upon a monthly average for the 2-year period of November, 1990 through October, 1992 or, if not available, the monthly average for the most recent twelve calendar months. Monthly averages are to include only those months when the facility operation was



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## operating.

- 2) Certified+ means aAny vapor collection and control system which has been tested and approved by CARB as having a vapor recovery and removal efficiency of at least 95% (by weight) shall constitute a certified vapor collection and control system. CARB testing and approval is pursuant to the CARB manual, hereby incorporated by reference at 219.112 of this Part (California Air Resources Board, Compliance Division, ~~Compliance Assistance Program~~ Facilities Phase I & II (October 1988, rev. March 1991 CARB Manual). This incorporation includes no later additions or amendments.
- 3) Completion of installation+ means ~~the~~ successful passing of one or more of the following tests applicable to the installed vapor collection and control system: Dynamic Backpressure Test, Pressure Decay/Leak Test, and Liquid Blockage Test. ~~(United States Environmental Protection Agency, Washington D.C., EPA-450/3-91-002b). These tests are hereby incorporated by reference at 219.112 of this Part. This incorporation includes no later additions or amendments.)~~
- 4) Constructed+ means ~~f~~Fabricated, erected or installed; refers to any facility, emission source or air pollution control equipment.
- 5) CARB+ means California Air Resources Board, P.O. Box 2815, Sacramento, CA 95812.
- 6) Employee+ means aAny person who performs work for an employer.
- 7) Facility+Operation+ means aAny building, structure, installation, operation or combination thereof located on contiguous properties and under common ownership that provides for the dispensing of motor vehicle fuel.
- 8) Gasoline Dispensing Facility+operation+ means aAny facility operation where motor vehicle fuel is dispensed into motor vehicle fuel tanks or portable containers from a storage tank with a capacity of 2176 liters (575 gallons) or more.

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- 9) Modification+ means aAny change, removal or addition, other than an identical replacement, of any component contained within the vapor collection and control system.
  - 10) Motor Vehicle+ means aAny self-propelled vehicle powered by an internal combustion engine including, but not limited to, automobiles and trucks. Specifically excluded from this definition are watercraft and aircraft.
  - 11) Motor Vehicle Fuel+ means aAny petroleum distillate having a Reid vapor pressure of more than 27.6 kilopascals (kPa) (four pounds per square inch) and which is used to power motor vehicles.
  - 12) Owner or Operator+ means aAny person who owns, leases, operates, manages, supervises or controls (directly or indirectly) a gasoline dispensing facility+operation.
  - 13) Reid Vapor Pressure+ ~~f~~For gasoline, it shall be measured in accordance with either the method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by references in 35 Ill. Adm. Code ~~215.105219.112 of this Part.~~
  - 14) Vapor Collection and Control System+ means aAny system certified by CARB which limits the discharge to the atmosphere of motor vehicle fuel vapors displaced during the dispensing of motor vehicle fuel into motor vehicle fuel tanks.
- b) The provisions of subsection (c) below shall apply to any gasoline dispensing facility+operation which dispenses an average monthly volume of more than 10,000 gallons of motor vehicle fuel per month. Compliance shall be demonstrated in accordance with the schedule provided in subsection (d) below.
- c) No owner or operator of a gasoline dispensing facility operation subject to the requirements of subsection (b) above shall cause or allow the dispensing of motor vehicle fuel at any time from a motor fuel dispenser unless the dispenser is equipped with and utilizes a vapor collection and control system which is properly

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installed and operated as provided below:

- 1) Any vapor collection and control system installed, used or maintained has been CARB certified.
- 2) Any vapor collection and control system utilized is maintained in accordance with the manufacturer's specifications and the certification.
- 3) No elements or components of a vapor collection and control system are modified, removed, replaced or otherwise rendered inoperative in a manner which prevents the system from performing in accordance with its certification and design specifications.
- 4) A vapor collection and control system has no defective, malfunctioning or missing components.
- 5) Operators and employees of the gasoline dispensing facility operation are trained and instructed in the proper operation and maintenance of a vapor collection and control system.
- 6) Instructions are posted in a conspicuous and visible place within the motor fuel dispensing area and describe the proper method of dispensing motor vehicle fuel with the use of the vapor collection and control system.

d) In conjunction with the compliance provisions of Section 219.105 of this Part, facility operations subject to the requirements of subsection (c) above shall demonstrate compliance according to the following:

- 1) Facility operations that commenced construction after November 1, 1990, must comply by May 1, 1993.
- 2) Facility operations that commenced construction before November 1, 1990, and dispense an average monthly volume of more than 100,000 gallons of motor fuel per month must comply by November 1, 1993 and will expire on October 21, 1993.]

[BOARD NOTE: The Board adopted an emergency rule in R93-12, extending the compliance date in Section 219.586(d)(1) from May 1, 1993 to October 15, 1993. This emergency rule became effective on May 24, 1993 and will expire on October 21, 1993.]

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- 3) Facility operations that commenced construction before November 1, 1990, and dispense an average monthly volume of less than 100,000 gallons of motor fuel per month must comply by November 1, 1994.
- 4) New facility operations constructed after the adoption of this Section shall comply with the requirements of subsection (c) above upon startup of the facility operation.
- 5) Existing facility operations previously exempted from but which become subject to the requirements of subsection (c) above after May 1, 1993 shall comply with the requirements of subsection (c) above within six calendar months of the date from which the facility operation becomes subject.

e) Any gasoline dispensing facility operation that becomes subject to the provisions of subsection (c) above at any time shall remain subject to the provisions of subsection (c) above at all times.

f) Upon request by the Agency, the owner or operator of a gasoline dispensing facility operation which claims to be exempt from the requirements of this Section shall submit records to the Agency within 30 calendar days from the date of the request which demonstrate that the gasoline dispensing facility operation is in fact exempt.

g) Recordkeeping and reporting:

- 1) Any gasoline dispensing facility operation subject to subsection (c) above shall retain at the facility operation copies of the registration information required at subsection (h) below.
- 2) Records and reports required pursuant to this subsection shall be made available to the Agency upon request. Records and reports which shall be maintained by the owner or operator of the gasoline dispensing facility operation shall clearly demonstrate:

A) That a certified vapor collection and control

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system has been installed and tested to verify its performance according to its specifications.

B) That proper maintenance has been conducted in accordance with the manufacturer's specifications and requirements.

C) The time period and duration of all malfunctions of the vapor collection and control system.

D) The motor vehicle fuel throughput of the facility operation for each calendar month of the previous year.

E) That operators and employees are trained and instructed in the proper operation and maintenance of the vapor collection and control system and informed as to the potential penalties associated with the violation of any provision of this Section.

h) Any gasoline dispensing facility operation subject to subsection (c) above shall be exempt from the permit requirements specified under 35 Ill. Adm. Code 201.142, 201.143 and 201.144 for its vapor collection and control systems, provided that:

1) Upon the installation of a vapor collection and control system, the owner or operator of the gasoline dispensing facility operation submits to the Agency a registration which provides at minimum the facility operation name and address, signature of the owner or operator, the CARB Executive Order Number for the vapor collection and control system to be utilized, the number of nozzles (excluding diesel or kerosene) used for motor vehicle refueling, the monthly average volume of motor vehicle fuel dispensed, the location (including contact person's name, address, and telephone number) of records and reports required by this Section, and the date of completion of installation of the vapor collection and control system.

2) The registration is submitted to the Agency within 30 days of completion of such installation.

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3) A copy of the registration information is maintained at the gasoline dispensing facility operation.

4) Upon the modification of an existing vapor collection and control system, the owner or operator of the gasoline dispensing facility operation submits to the Agency a registration that details the changes to the information provided in the previous registration of the vapor collection and control system and which includes the signature of the owner or operator. The registration must be submitted to the Agency within 30 days of completion of such modification.

(Source: Amended at 17 Ill. Reg. 16918, effective October 21, 1993.)

## SUBPART Z: DRY CLEANERS

## Section 219.601 Perchloroethylene Dry Cleaners

The owner or operator of a dry cleaning facility operation which uses perchloroethylene shall:

- a) Vent the entire dryer exhaust through a properly designed and functioning carbon adsorption system or equally effective control device; and
- b) Emit no more than 100 ppmv of VOM from the dryer control device before dilution, or achieve a 90 percent average reduction before dilution; and
- c) Immediately repair all components found to be leaking liquid VOM; and
- d) Cook or treat all diatomaceous earth filters so that the residue contains 25 kg (55 lb) or less of volatile organic material per 100 kg (220 lb) of wet waste material; and
- e) Reduce the VOM from all solvent stills to 60 kg (132 lb) or less per 100 kg (220 lb) of wet waste material; and
- f) Drain all filtration cartridges in the filter housing or other sealed container for at least 24 hours before discarding the cartridges; and



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- g) Dry all drained filtration cartridges in equipment connected to an emission reduction system or in a manner that will eliminate emission of volatile organic material to the atmosphere.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.602 Exemptions

The provisions of Section 219.601 are not applicable to perchloroethylene dry cleaning operations which are coin-operated or to dry cleaning facilities operations consuming less than 30 gal per month (360 gal per year) of perchloroethylene.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.603 Leaks

The presence of leaks shall be determined for purposes of Section 219.601(c) of this Part by a visual inspection of the following: hose connections, unions, couplings and valves; machine door gaskets and seatings; filter head gasket and seating; pumps; base tanks and storage containers; water separators; filter sludge recovery; distillation unit; diverter valves; saturated lint from lint baskets; and cartridge filters.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.604 Compliance Dates (Repealed)

~~Every owner or operator of an emission source previously subject to 35 Ill. Adm. Code 215, Subpart 7, shall have complied with its standards and limitations in accordance with the applicable dates set forth in 35 Ill. Adm. Code 215.604.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.605 Compliance Plan (Repealed)

- a) ~~The owner or operator of an emission source subject to this Subpart shall have submitted to the Agency a compliance plan, pursuant to 35 Ill. Adm. Code 201, Subpart H, including a project completion schedule where~~

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~~applicable, no later than, for Section 219.601(a) and (b), April 21, 1983.~~

- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source may operate the emission source according to the plan and schedule as submitted.~~

- e) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H, including specific interim dates as required in 35 Ill. Adm. Code 201.242.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.606 Exception to Compliance Plan (Repealed)

~~Coin-operated dry cleaning operations and dry cleaning facilities consuming less than 30 gal per month (360 gal per year) of perchloroethylene are not required to submit or obtain an Agency approved compliance plan or project completion schedule.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.608 Operating Practices for Petroleum Solvent Dry Cleaners

In order to minimize fugitive solvent emissions, the owner or operator of a petroleum solvent dry cleaning facility source shall employ good housekeeping practices including the following:

- a) General Housekeeping Requirements
- 1) Equipment containing solvent (washers, dryers, extractors and filters) shall remain closed at all times except during load transfer and maintenance. Lint filter and button trap covers shall remain closed except when solvent-laden material is being removed.
  - 2) Cans, buckets, barrels and other containers of solvent or of solvent-laden material shall be covered except when in use.
  - 3) Solvent-laden material shall be exposed to the

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atmosphere only for the minimum time necessary for load transfer.

b) Installation and operation of equipment:

- 1) All cartridge filters shall be enclosed and operated in accordance with the procedures and specifications recommended by the manufacturer for the cartridge filter. After installation, the cartridges shall be inspected, monitored and maintained in accordance with the manufacturer's recommendations; and
- 2) Vents on containers for new solvent and for solvent-containing waste shall be constructed and maintained so as to minimize solvent vapor emissions. Criteria for the minimization of solvent vapor emissions include the elimination of solvent buckets and barrels standing open to the atmosphere, and the repair of gaskets and seals that expose solvent-rich environments to the atmosphere, to be determined through visual inspection.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.609 Program for Inspection and Repair of Leaks

- a) The owner or operator of a petroleum solvent dry cleaning facility~~source~~ shall conduct the following visual inspections on a weekly basis:

- 1) Washers, dryers, solvent filters, settling tanks, vacuum stills and containers and conveyors of petroleum solvent shall be inspected for visible leaks of solvent liquid.
- 2) Pipes, hoses and fittings shall be inspected for active dripping or dampness.
- 3) Pumps and filters shall be inspected for leaks around seals and access covers.
- 4) Gaskets and seals shall be inspected for wear and defects.

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- b) Leaks of petroleum solvent liquid and vapors shall be repaired within three working days of detection, unless necessary replacement parts are not on site.

- 1) If necessary, repair parts shall be ordered within three working days of detection of the leak.
- 2) The leak shall be repaired within three days of delivery of necessary parts.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.610 Testing and Monitoring

- a) Compliance with Sections 219.607(b)(2), 219.608 and 219.609 of this Part shall be determined by visual inspection; and
- b) Compliance with Sections 219.607(a)(2) and (b)(1) of this Part shall be determined by methods described in EPA-450/3-82-009 (1982) incorporated by reference in Section 219.112 of this Part.
- c) If a control device is used to comply with Section 219.607(a)(1) of this Part, then compliance shall be determined using 40 CFR 60 Appendix A, Method 25 (1984) incorporated by reference in Section 219.112 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.611 Exemption for Petroleum Solvent Dry Cleaners

The provisions of Sections 219.607 through 219.610 of this Part shall not apply to petroleum solvent dry cleaning ~~facilities~~ sources whose emissions of volatile organic material do not exceed 91 Mg (100 tons) per year in the absence of pollution control equipment or whose emissions of VOM, as limited by the operating permit, will not exceed 91 Mg (100 tons) per year in the absence of pollution control equipment.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.612 Compliance Dates (Repealed)

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~~Owners and operators of emission sources subject to 35 Ill. Adm. Code 215.607 through 215.609 as of December 31, 1987 shall have complied with the requirements set forth therein no later than December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.613 Compliance Plan (Repealed)

a) ~~The owner or operator of an emission source formerly subject to 35 Ill. Adm. Code 215.610(a) as of May 31, 1987 shall have submitted to the Agency a compliance plan, including a project completion schedule where applicable, no later than May 31, 1987.~~

b) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

SUBPART AA: PAINT AND INK MANUFACTURING

Section 219.620 Applicability

a) This Subpart shall apply to all paint and ink manufacturing plantssources which:

1) Include process emission ~~sources~~units not subject to Subparts B, E, F (excluding Section 219.204(l) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part), V, X, Y, ~~or~~ Z or BB of this Part; and which as a group both:

A) ~~Have~~ maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and

B) ~~are~~ not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision, or

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2) Produce more than 7,570,820 l (2,000,000 gal) per calendar year of paint or ink formulations, which contain less than 10 percent (by weight) water, and ink formulations not containing as the primary solvents water, Magie oil or glycol.

b) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.621 Exemption for Waterbase Material and Heatset-Offset Ink

The requirements of Sections 219.624 and 219.625 and Section 219.628(a) of this Part shall not apply to equipment while it is being used to produce either:

a) ~~p~~Paint or ink formulations which contain 10 percent or more (by weight) water, or

b) ~~i~~nks containing Magie oil and glycol as the primary solvent.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.623 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the ~~plantsource~~ or an emission ~~source~~unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.624 Open-~~t~~Top Mills, Tanks, Vats or Vessels

No person shall operate an open-top mill, tank, vat or vessel with a volume of more than 45 l (12 gal) for the production of paint or ink unless:

a) The mill, tank, vat or vessel is equipped with a cover which completely covers the mill, tank, vat or vessel



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opening except for an opening no larger than necessary to allow for safe clearance for a mixer shaft. Such cover shall extend at least 1.27 cm (0.5 in.) beyond the outer rim of the opening or be attached to the rim.

- b) The cover remains closed except when production, sampling, maintenance or inspection procedures require access.
- c) The cover is maintained in good condition such that, when in place, it maintains contact with the rim of the opening for at least 90 percent of the circumference of the rim.

(Source: 1993) Amended at 17 Ill. Reg. 16918, effective September 27.

## Section 219.628 Leaks

The owner or operator of a paint or ink manufacturing ~~plant~~ source shall, for the purpose of detecting leaks, conduct an equipment monitoring program as set forth below:

- a) Each pump shall be checked by visual inspection each calendar week for indications of leaks, that is, liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, the pump shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.
- b) Any pump, valve, pressure relief valve, sampling connection, open-ended valve and flange or connector containing a fluid which is at least 10 percent vom by weight which appears to be leaking on the basis of sight, smell or sound shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.
- c) A weather proof, readily visible tag, in bright colors such as red or yellow, bearing an identification number and the date on which the leak was detected shall be attached to leaking equipment. The tag may be removed upon repair, that is, when the equipment is adjusted or otherwise altered to allow operation without leaking.
- d) When a leak is detected, the owner or operator shall record the date of detection and repair and the record

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shall be retained at the ~~plant~~ source for at least two years from the date of each detection or each repair attempt. The record shall be made available to any person upon verbal or written request during business hours.

(Source: 1993) Amended at 17 Ill. Reg. 16918, effective September 27.

## Section 219.636 Compliance Schedule

Every owner or operator of an ~~emission~~ source subject to the control requirements of this Subpart shall comply with the requirements thereof on and after a date consistent with Section 219.106 of this Part.

(Source: 1993) Amended at 17 Ill. Reg. 16918, effective September 27.

## Section 219.637 Recordkeeping and Reporting

- a) Upon request by the Agency, the owner or operator of an ~~emission~~ source which claims to be exempt from the requirements of this Subpart shall submit records to the Agency within 30 calendar days from the date of the request which document that the ~~emission~~ source is in fact exempt from this Subpart. These records shall include (but are not limited to) the percent water (by weight) in the paint or ink being produced and the quantity of Magie oil, glycol and other solvents in the ink being produced.
- b) Every owner or operator of an ~~emission~~ source which is subject to the requirements of this Subpart shall maintain all records necessary to demonstrate compliance with those requirements at the ~~facility~~ source for three years.

(Source: 1993) Amended at 17 Ill. Reg. 16918, effective September 27.

## SUBPART BB: POLYSTYRENE PLANTS

Section 219-075219.640 Applicability of ~~Subpart BB~~

The provisions of this Subpart shall apply to polystyrene plants:

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- a) Which use continuous processes to manufacture polystyrene - polybutadiene co-polymer; and

- b) Which fall within Standard Industrial Classification Group No. 282, Industry No. 2821, except that the manufacture of polystyrene resins need not be the primary manufacturing process at the plant.

(Source: Renumbered from Section 219.875 and amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.877219.642 Emissions Limitation at Polystyrene Plants

No person shall cause or allow the emissions of VOM from the material recovery section to exceed 0.12 kg of VOM per 1000 kg of polystyrene resin produced.

(Source: Renumbered from Section 219.877 at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.886219.644 Emissions Testing

- a) Upon a reasonable request by the Agency, the owner or operator of a polystyrene plant subject to this Subpart shall at his own expense demonstrate compliance by use of the following method: 40 CFR 60, Appendix A, Method 25 - Determination of Total Gaseous Non-Methane Organic Emissions as Carbon (1984), incorporated by reference in Section 219.112 of this Part.

- b) A person planning to conduct a VOM emissions test to demonstrate compliance with this Subpart shall notify the Agency of that intent not less than 30 days before the planned initiation of the tests so the Agency may observe the test.

(Source: Renumbered from Section 219.886 and amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.875 Applicability of Subpart BB (Renumbered)

(Source: Renumbered to Section 219.640 at 17 Ill. Reg. 16918 effective September 27, 1993)

Section 219.877 Emissions Limitation at Polystyrene Plants (Renumbered)

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(Source: Renumbered to Section 219.642 at 17 Ill. Reg. 16918 effective September 27, 1993)

Section 219.879 Compliance Date (Repealed)

~~Every owner and operator of an emission source subject to 35 Ill. Adm. Code 215, Subpart BB, as of December 31, 1987, shall have complied with its standards and limitations by December 31, 1987.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.881 Compliance Plan (Repealed)

- a) ~~The owner or operator of an emission source formerly subject to the requirements of 35 Ill. Adm. Code 215 Subpart BB shall have submitted to the Agency a compliance plan in accordance with 35 Ill. Adm. Code 201, Subpart H, including a project completion schedule on or before December 1, 1987.~~

- b) ~~Unless the submitted compliance plan or schedule was disapproved by the Agency, the owner or operator of a facility or emission source subject to this Subpart may operate the emission source according to the plan and schedule as submitted.~~

- c) ~~The plan and schedule shall meet the requirements of 35 Ill. Adm. Code 201, Subpart H and Section 219.883.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.883 Special Requirements for Compliance Plan (Repealed)

~~For sources subject to this Subpart, an approvable compliance plan shall include:~~

- a) ~~A description of each process which is subject to an emissions limitation;~~
- b) ~~Quantification of the emissions from each process;~~

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shall continue to apply to a miscellaneous fabricated products manufacturing process emission sourceunit which was ever subject to the control requirements of Section 219.926 of this Part.

No limits under this Subpart shall apply to emission sourceunits with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such source units not complying with Section 219.926 of this Part does not exceed 4.5/Mg (5.0 tons) per calendar year.

For the purposes of this Subpart, an emission sourceunit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission sourceunit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

The control requirements in Subpart PP shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

Amended at 17 Ill. Reg. 16918, effective September 27, 1993

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~~a) A description of the procedures and methods used to determine the emissions of VOM;~~

~~a) A description of the methods which will be used to demonstrate compliance with the allowable plantwide emission limitation (Section 215.877), including a method of inventory, recordkeeping and emission calculation or measurement.~~

(Source: Repealed at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.886 Emissions Testing (Renumbered)

(Source: Renumbered to Section 219.644 at 17 Ill. Reg. 16918, effective September 27, 1993)

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section 219.920 Applicability

a) The requirements of this Subpart shall apply to a plant's source's miscellaneous fabricated product manufacturing process emission sourceunits which are not included within any of the source categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z or BB if the plant's source is subject to this Subpart. A plant's source is subject to this Subpart if it contains process emission source units, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T, (excluding Section 219.486 of this Part), V, X, Y, Z or BB of this Part; which as a group both:

- 1) Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision.

b) If a plant's source ceases to fulfill the criteria of subsection (a) above, the requirements of this Subpart



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## Section 219.923 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plantsource or an emission sourceunit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.926 Control Requirements

Every owner or operator of an ~~emission source~~ miscellaneous fabricated product manufacturing process emission unit subject to this Subpart shall comply with the requirements of subsection (a), (b) or (c) of this Section:

- a) Emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 219.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) For coating lines, the daily-weighted average VOM content shall not exceed 0.42 kg VOM/l (3.5 lbs VOM/gal) of coating as applied (minus water and any compounds which are specifically exempted from the definition of VOM) during any day. Owners and operators complying with this Section are not required to comply with Section 219.301 of this Part, or

- c) An alternative control plan which has been approved by the Agency and ~~approved by~~ the USEPA in a federally enforceable permit or as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.927 Compliance Schedule

Every owner or operator of an emission sourceunit subject to the

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control requirements of this Subpart shall comply with the requirements thereof on and after a date consistent with Section 219.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.928 Testing

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 219.926 of this Part, the owner or operator of a VOM emission sourceunit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 219.105 of this Part.

- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

## Section 219.940 Applicability

- a) The requirements of this Subpart shall apply to a ~~plantsource's~~ plantsource's miscellaneous formulation manufacturing process emission sourceunits, which are not included within any of the source categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, ~~or BB~~ or BB of this Part. If the plantsource is subject to this Subpart. A plantsource is subject to this Subpart if it contains process emission sourceunits, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part), V, X, Y, ~~or BB~~ or BB of this Part; which as a group both:

- 1) ~~Have~~ Have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) ~~Are~~ Are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of

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air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction permit or a SIP revision.

b) If a ~~plant~~source ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission ~~source~~ unit which was ever subject to the control requirements of Section 219.946 of this Part.

c) No limits under this Subpart shall apply to emission ~~source~~units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such ~~sources~~ emission units not complying with this Section does not exceed 4.5 Mg (5.0 tons) per calendar year.

d) For the purposes of this Subpart, an emission ~~source~~unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission ~~source~~unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

f) The control requirements in Subpart 00 shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not

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including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.943 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the ~~plant~~source or an emission ~~source~~unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.946 Control Requirements

Every owner or operator of an ~~emission source~~ miscellaneous formulation manufacturing process emission unit subject to this Subpart shall comply with the requirements of subsection (a) or (b) below.

a) Emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 219.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

b) An alternative control plan which has been approved by the Agency and ~~approved by~~ the USEPA in a federally enforceable permit or as a SIP revision.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.947 Compliance Schedule

Every owner or operator of an emission ~~source~~unit subject to the control requirements of this Subpart shall comply with the



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requirements thereof on and after a date consistent with Section 219.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.948

## Testing

a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 219.946 of this Part, the owner or operator of a VOM emission ~~source~~ unit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 219.105 of this Part.

b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

## Section 219.960

## Applicability

a) The requirements of this Subpart shall apply to a ~~plant~~ ~~source's~~ miscellaneous organic chemical manufacturing process emission ~~source~~ units which are not included within any of the ~~source~~ categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, ~~or BB~~ of this Part, if the ~~plant~~ ~~source~~ is subject to this Subpart. A ~~plant~~ ~~source~~ is subject to this Subpart if it contains process emission ~~source~~ units, not regulated by Subparts B, E, F (excluding Section 219.204(l) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T (excluding Section 219.486 of this Part) V, X, Y, ~~or BB~~ of this Part; which as a group both:

- 1) ~~have~~ maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) ~~are~~ not limited to less than 91 Mg (100 tons) of

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VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable ~~construction~~ permit or a SIP revision.

b) If a ~~plant~~ ~~source~~ ceases to fulfill the criteria of Subsection (a) of this Section, the requirements of this Subpart shall continue to apply to a miscellaneous organic chemical manufacturing process emission ~~source~~ unit which was ever subject to the control requirements of Section 219.966 of this Part.

c) No limits under this Subpart shall apply to emission ~~source~~ units with emissions of VOM to the atmosphere less than or equal to 0.91 Mg (1.0 ton) per calendar year if the total emissions from such ~~source~~ emission units not complying with Section 219.966 of this Part does not exceed 4.5 Mg (5.0 tons) per calendar year.

d) For the purposes of this Subpart, an emission ~~source~~ unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission ~~source~~ unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

e) For the purposes of this Subpart, uncontrolled VOM emissions are the emissions of VOM which would result if no air pollution control equipment were used.

f) The control requirements in Subpart RR shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the



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polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source, and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.963 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant source or an emission source unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.966 Control Requirements

Every owner or operator of an emission source miscellaneous organic chemical manufacturing process emission unit, subject to this Subpart shall comply with the requirements of subsection (a), (b), or (c) below.

- a) Emission capture and control techniques which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 219.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) An alternative control plan which has been approved by the Agency and approved by the USEPA in a federally enforceable permit or as a SIP revision.

- c) Any leaks from components subject to the control requirements of this Subpart shall be subject to the following control measures by March 15, 1995:

- 1) Repair any component from which a leak of VOL can be observed. The repair shall be completed as soon

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as practicable but no later than 15 days after the leak is found, unless the leaking component cannot be repaired until the next process unit shutdown, in which case the leaking component must be repaired before the unit is restarted.

- 2) For any leak which cannot be readily repaired within one hour after detection, the following records, as set forth in this subsection, shall be kept. These records shall be maintained by the owner or operator for a minimum of two years after the date on which they are made. Copies of the records shall be made available to the Agency or USEPA upon verbal or written request.

- A) The name and identification of the leaking component;  
 B) The date and time the leak is detected;  
 C) The action taken to repair the leak; and  
 D) The date and time the leak is repaired.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.967 Compliance Schedule

Every owner or operator of an emission source unit subject to the control requirements of this Subpart shall comply with the requirements of this Subpart on and after a date consistent with Section 219.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.968 Testing

- a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 219.966 of this Part, the owner or operator of a VOM emission source unit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 219.105 of this Part.

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exceed 4.5 Mg (5.0 tons) per calendar year.

- b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

SUBPART TT: OTHER EMISSION SOURCES UNITS

Section 219.980 Applicability

- a) The requirements of this Subpart shall apply to a plant-source's VOM emission source units, which are not included within any of the source categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, BB, PP, QQ, or RR of this Part, or are not exempted from permitting requirements pursuant to 35 Ill. Adm. Code 201.146, if the plant-source is subject to this Subpart. A plant-source is subject to this Subpart if it contains process emission source units, not regulated by Subparts B, E, F (excluding Section 219.204(1) of this Part), H (excluding Section 219.405 of this Part), Q, R, S, T, (excluding Section 218.486 of this Part), V, X, Y or Z or BB of this Part, which as a group both:

- 1) have maximum theoretical emissions of 91 Mg (100 tons) or more per calendar year of VOM if no air pollution control equipment were used, and
- 2) are not limited to less than 91 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment, through production or capacity limitations contained in a federally enforceable construction or operating permit or a SIP revision.

- b) If a plant-source ceases to fulfill the criteria of subsection (a) of this Section, the requirements of this Subpart shall continue to apply to an emission source unit which was ever subject to the control requirements of Section 219.986 of this Part.

- c) No limits under this Subpart shall apply to emission source units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such source emission unit not complying with Section 219.986 of this Part does not

- d) For the purposes of this Subpart, an emission source unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission source unit is not considered regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met. ~~its emissions are below the applicability cutoff level or if the source is covered by an exemption.~~

- e) The control requirements in Subparts QQ, RR, SS and TT shall not apply to sewage treatment plants; vegetable oil extraction and processing plants; coke ovens (including by-product recovery plants); fuel combustion sources; units; bakeries; barge loading facilities; jet engine test cells; pharmaceutical manufacturing; production of polystyrene foam insulation board (including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the plant-source), but not including blending and preliminary expansion of resin prior to molding where a blowing agent is incorporated into the polystyrene resin by the producer of the resin; and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the plant-source; and iron and steel production.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.983 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant-source or an emission source unit from this Subpart.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

Section 219.986 Control Requirements



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Every owner or operator of an emission source unit subject to this Subpart shall comply with the requirements of subsection (a), (b), (c), (d) or (e) below.

- a) Emission capture and control equipment which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit, or

(Board Note: For the purpose of this provision, an emission unit is any part or activity at a source of a type that by itself is subject to control requirements in other Subparts of this Part or 40 CFR 60, incorporated by reference in Section 219.112, e.g., a coating line, a printing line, a process unit, a wastewater system, or other equipment, or is otherwise any part or activity at a source.)

- b) For coating lines, the daily-weighted average VOM content shall not exceed 0.42 kg VOM/l (3.5 lbs VOM/gal) of coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied during any day. Owners and operators complying with this Section are not required to comply with Section 219.301 of this Part, or

- c) An alternative control plan which has been approved by the Agency and approved by the USEPA in a federally enforceable permit or as a SIP revision.

- d) Non-contact process water cooling towers which are subject to the control requirements of this Subpart shall comply with the following control measures no later than March 15, 1995 or upon initial startup:

- 1) The owner or operator of a non-contact process water cooling tower shall perform the following actions to control emissions of volatile organic material (VOM) from such a tower:

A) Inspect and monitor such tower to identify leaks of VOM into the water, as further specified in subsection (d)(3) below.

B) When a leak is identified, initiate and carry out steps to identify the specific leaking component or components as soon as practicable, as further specified in

- c) When a leaking component is identified which:

i) Can be removed from service without disrupting production, remove the component from service.

ii) Cannot be removed from service without disrupting production, undertake repair of the component at the next reasonable opportunity to do so including any period when the component is out of service for scheduled maintenance, as further specified in subsection (d)(4) below:

- D) Maintain records of inspection and monitoring activities, identification of leaks and leaking components, elimination and repair of leaks, and operation of equipment as related to these activities, as further specified in subsection (d)(5) below.

- 2) A VOM leak shall be considered to exist in a non-contact process water cooling water system if the VOM emissions or VOM content exceed background levels as determined by monitoring conducted in accordance with subsection (d)(3)(A) below.

- 3) The owner or operator of a non-contact process water cooling tower shall carry out an inspection and monitoring program to identify VOM leaks in the cooling water system.

A) The owner or operator of a non-contact process water cooling tower shall submit to the Agency a proposed monitoring program, accompanied by technical justification for the program, including justification for the sampling location(s), parameter(s) selected for measurement, monitoring and inspection frequency, and the criteria used relative to the monitored parameters to determine whether a leak exists as specified in subsection (d)(2) above.

B) This inspection and monitoring program for



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non-contact process water cooling towers shall include, but shall not be limited to:

- i) Monitoring of each such tower with a water flow rate of 25,000 gallons per minute or more at a petroleum refinery at least weekly and monitoring of other towers at least monthly;
- ii) Inspection of each such tower at least weekly if monitoring is not performed at least weekly.

C) This inspection and monitoring program shall be carried out in accordance with written procedures which the Agency shall specify as a condition in a federally enforceable operating permit. These procedures shall include the VOM background levels for the cooling tower as established by the owner or operator through monitoring; describe the locations at which samples will be taken; identify the parameter(s) to be measured, the frequency of measurements, and the procedures for monitoring each such tower, that is, taking of samples and other subsequent handling and analyzing of samples; provide the criteria used to determine that a leak exists as specified in subsection (d)(2) above; and describe the records which will be maintained.

D) A non-contact process water cooling tower is exempt from the requirements of subsections (d)(3)(B) and (d)(3)(C) above, if all equipment, where leaks of VOM into cooling water may occur, is operated at a minimum pressure in the cooling water of at least 35 kPa greater than the maximum pressure in the process fluid.

4) The repair of a leak in a non-contact process water cooling tower shall be considered to be completed in an acceptable manner as follows:

A) Efforts to identify and locate the leaking components are initiated as soon as practicable, but in no event later than three

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days after detection of the leak in the cooling water tower;

B) Leaking components shall be repaired or removed from service as soon as possible but no later than 30 days after the leak in the cooling water tower is detected, unless the leaking components cannot be repaired until the next scheduled shutdown for maintenance.

5) The owner or operator of a non-contact process water cooling tower shall keep records as set forth below in this subsection. These records shall be retained at a readily accessible location at the source and shall be available for inspection and copying by the Agency for at least 3 years:

A) Records of inspection and monitoring activity;

B) Records of each leak identified in such tower, with date, time and nature of observation or measured level of parameter;

C) Records of activity to identify leaking components, with date initiated, summary of components inspected with dates, and method of inspection and observations;

D) Records of activity to remove a leaking component from service or repair a leaking component, with date initiated and completed, description of actions taken and the basis for determining the leak in such tower has been eliminated. If the leaking component is not identified, repaired or eliminated within 30 days of initial identification of a leak in such tower, this report shall include specific reasons why the leak could not be eliminated sooner including all other intervening periods when the process unit was out of service, actions taken to minimize VOM losses prior to elimination of the leak and any actions taken to prevent the recurrence of a leak of this type.

6) The owner or operator of a non-contact process water cooling tower shall submit an annual report

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to the Agency which provides:

- A) The number of leaks identified in each cooling tower;
- B) A general description of activity to repair or eliminate leaks which were identified;
- C) Identification of each leak which was not repaired in 30 days from the date of identification of a leak in such a tower, with description of the leaks, explanation why the leak was not repaired in 30 days;
- D) Identification of any periods when required inspection and monitoring activities were not carried out.

e) Any leaks from components subject to the control requirements of this Subpart shall be subject to the following control measures by March 15, 1995:

- 1) Repair any component from which a leak of VOL can be observed. The repair shall be completed as soon as practicable but no later than 15 days after the leak is found, unless the leaking component cannot be repaired until the next process unit shutdown, in which case the leaking component must be repaired before the unit is restarted.
- 2) For any leak which cannot be readily repaired within one hour after detection, the following records, as set forth below in this subsection, shall be kept. These records shall be maintained by the owner or operator for a minimum of two years after the date on which they are made. Copies of the records shall be made available to the Agency or USEPA upon verbal or written request.
- A) The name and identification of the leaking component;
- B) The date and time the leak is detected;
- C) The action taken to repair the leak; and
- D) The date and time the leak is repaired.

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(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.987 Compliance Schedule

Every owner or operator of an emissions sourceunit which is subject to this Subpart shall comply with the requirements of this Subpart on and after a date consistent with Section 219.106 of this Part.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.988 Testing

a) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with Section 219.986 of this Part, the owner or operator of a VOM emission sourceunit subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 219.105.

b) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## SUBPART UU: RECORDKEEPING AND REPORTING FOR NON-CTG-SOURCES

## Section 219.990 Exempt Emission SourcesUnits

Upon request by the Agency, the owner or operator of an emission unit sourcee which is exempt from the requirements of Subparts PP, QQ, RR, TT or Section 219.208(b) of this Part shall submit records to the Agency within 30 calendar days from the date of the request that document that the emission unit sourcee is exempt from those requirements.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

## Section 219.991 Subject Emission SourcesUnits

a) Any owner or operator of a VOM emission sourceeunit which is subject to the requirements of Subpart PP, QQ, RR or



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TT and complying by the use of emission capture and control equipment shall comply with the following:

- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new emission source, the owner or operator of the subject VOM emission source shall demonstrate to the Agency that the subject emission source unit will be in compliance on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date by submitting to the Agency all calculations and other supporting data, including descriptions and results of any tests the owner or operator may have performed.
- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject VOM emission source shall collect and record all of the following information each day and maintain the information at the facility source for a period of three years:
  - A) Control device monitoring data.
  - B) A log of operating time for the capture system, control device, monitoring equipment and the associated emission source.
  - C) A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.
- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject VOM emission source shall notify the Agency in the following instances:
  - A) Any record showing a violation of the requirements of Subpart PP, QQ, RR or TT shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
  - B) At least 30 calendar days before changing the

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method of compliance with Subpart PP or TT from the use of capture systems and control devices to the use of complying coatings, the owner or operator shall comply with all requirements of subsection (b)(1) of this Section. Upon changing the method of compliance with Subpart PP or TT from the use of capture systems and control devices to the use of complying coatings, the owner or operator shall comply with all requirements of subsection (b) of this Section.

4) Testing

- A) When in the opinion of the Agency it is necessary to conduct testing to demonstrate compliance with this Subpart, the owner or operator of a VOM emission source subject to the requirements of this Subpart shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in Section 219.105 of this Part.
  - B) Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.
- b) Any owner or operator of a coating line which is subject to the requirements of Subpart PP or TT and complying by means of the daily-weighted average VOM content limitation shall comply with the following:
- 1) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a coating line subject to Subpart PP or TT, the owner or operator of the subject coating line shall certify to the Agency that the coating line will be in compliance on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date. Such certification shall include:
    - A) The name and identification number of each coating line which will comply by means of the daily-weighted average VOM content limitation.



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- B) The name and identification number of each coating as applied on each coating line.
- C) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- D) The instrument or method by which the owner or operator will accurately measure or calculate the volume of each coating as applied each day on each coating line.
- E) The method by which the owner or operator will create and maintain records each day as required in subsection (b)(2).
- F) An example of the format in which the records required in subsection (b)(2) of this Section will be kept.
- 2) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, the owner or operator of a subject coating line shall collect and record all of the following information each day for each coating line and maintain the information at the facility source for a period of three years:

- A) The name and identification number of each coating as applied on each coating line.
- B) The weight of VOM per volume and the volume of each coating (minus water and any compounds which are specifically exempted from the definition of VOM) as applied each day on each coating line.
- C) The daily-weighted average VOM content of all coatings as applied on each coating line as defined in Section 219.104 of this Part.
- 3) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject coating line shall notify the Agency in the following instances:

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- A) Any record showing violation of the requirements of Subpart PP or TT shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation.
- B) At least 30 calendar days before changing the method of compliance with Subpart PP or TT from the use of complying coatings to the use capture systems and control devices, the owner or operator shall comply with all requirements of subsection (a)(1) of this Section. Upon changing the method of compliance with Subpart PP or TT from the use of complying coatings to the use capture systems and control devices, the owner or operator shall comply with all requirements of subsection (a) of this Section.
- C) Any owner or operator of a VOM emission source which is subject to the requirements of Subpart PP, QQ, RR or TT and complying by means of an alternative control plan which has been approved by the Agency and approved by the USEPA as a SIP revision shall comply with the recordkeeping and reporting requirements specified in the alternative control plan.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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## Section 219. Appendix A

## List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing

## CAS No. Chemical

105-57-7	Acetal
75-07-0	Acetaldehyde
107-89-1	Acetaldol
60-35-5	Acetamide
103-84-4	Acetanilide
64-19-7	Acetic acid
108-24-7	Acetic anhydride
67-64-1	Acetone
75-86-5	Acetone cyanohydrin
75-05-8	Acetonitrile
98-86-2	Acetophenone
75-36-5	Acetyl chloride
74-86-2	Acetylene
107-02-8	Acrolein
79-06-1	Acrylamide
79-10-7	Acrylic acid & esters
107-13-1	Acrylonitrile
124-04-9	Adipic acid
111-69-3	Adiponitrile
(b)	Alkyl naphthalenes
107-18-6	Allyl alcohol
107-05-1	Allyl chloride
1321-11-5	Aminobenzoic acid
111-41-1	Aminoethylethanalamine
123-30-8	p-aminophenol
628-63-7,	Amyl acetates
123-92-2	
71-41-0 <sup>c</sup>	
110-58-7	Amyl alcohols
543-59-9	Amyl amine
110-68-7 <sup>c</sup>	Amyl chloride
1322-06-1	Amyl mercaptans
62-53-3	Amyl phenol
142-04-1	Aniline
29191-52-4	Aniline hydrochloride
100-66-3	Anisidine
118-92-3	Anisole
84-65-1	Anthranilic acid
100-52-7	Anthraquinone
55-21-0	Benzaldehyde
71-43-2	Benzamide
	Benzene

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98-48-6	Benzenedisulfonic acid
98-11-3	Benzenesulfonic acid
134-81-6	Benzil
76-93-7	Benzilic acid
65-85-0	Benzoic acid
119-53-9	Benzoin
100-47-0	Benzonitrile
119-61-9	Benzophenone
98-07-7	Benzotrichloride
98-88-4	Benzoyl chloride
100-51-6	Benzyl alcohol
100-46-9	Benzylamine
120-51-4	Benzyl benzoate
100-44-7	Benzyl chloride
98-87-3	Benzyl dichloride
92-52-4	Biphenyl
80-05-7	Bisphenol A
10-86-1	Bromobenzene
27497-51-4	Bromonaphthalene
106-99-0	Butadiene
106-98-9	1-butene
123-86-4	n-butyl acetate
141-32-2	n-butyl acrylate
71-36-3	n-butyl alcohol
78-92-2	s-butyl alcohol
75-65-0	t-butyl alcohol
109-73-9	n-butylamine
13952-84-6	s-butylamine
75-64-9	t-butylamine
98-73-7	p-tert-butyl benzoic acid
107-88-0	1,3-butylene glycol
123-72-8	n-butyraldehyde
107-92-6	Butyric acid
106-31-0	Butyric anhydride
109-74-0	Butyronitrile
105-60-2	Caprolactam
75-1-50	Carbon disulfide
558-13-4	Carbon tetrabromide
55-23-5	Carbon tetrachloride
9004-35-7	Cellulose acetate
79-11-8	Chloroacetic acid
108-42-9	m-chloroaniline
95-51-2	o-chloroaniline
106-47-8	p-chloroaniline
35913-09-8	Chlorobenzaldehyde
108-90-7	Chlorobenzene
118-91-2,	Chlorobenzoic acid

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535-80-8,	Chlorobenzotrichloride
74-11-3 <sup>c</sup> ,	
2136-81-4,	
2136-89-2,	
5216-25-1 <sup>c</sup> ,	
1321-03-5	Chlorobenzoyl chloride
75-45-6	Chlorodifluoroethane
25497-29-4	Chlorodifluoromethane
67-66-3	Chloroform
25586-43-0	Chloronaphthalene
88-73-3	o-chloronitrobenzene
100-00-5	p-chloronitrobenzene
25167-80-0	Chlorophenols
126-99-8	Chloroprene
7790-94-5	Chlorosulfonic acid
108-41-8	m-chlorotoluene
95-49-8	o-chlorotoluene
106-43-4	p-chlorotoluene
75-72-9	Chlorotrifluoromethane
108-39-4	m-cresol
95-48-7	o-cresol
106-44-5	p-cresol
1319-77-3	Mixed cresols
1319-77-3	Cresylic acid
4170-30-0	Crotonaldehyde
3724-65-0	Crtonic acid
98-82-8	Cumene
80-15-9	Cumene hydroperoxide
372-09-8	Cyanoacetic acid
506-77-4	Cyanogen chloride
108-80-5	Cyanuric acid
108-77-0	Cyanuric chloride
110-82-7	Cyclohexane
108-93-0	Cyclohexanol
108-94-1	Cyclohexanone
110-83-8	Cyclohexene
108-91-8	Cyclohexylamine
111-78-4	Cyclooctadiene
112-30-1	Decanol
123-42-2	Diacetone alcohol
27576-04-1	Diaminobenzoic acid
95-76-1,	Dichloroaniline
95-82-9,	
554-00-7,	
608-27-5,	
608-31-1,	
626-43-7,	

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27134-27-6,	m-dichlorobenzene
57311-92-9 <sup>c</sup> ,	o-dichlorobenzene
541-73-1	p-dichlorobenzene
95-50-1	Dichlorodifluoromethane
106-46-7	Dichloroethyl ether
75-71-8	1,2-dichloroethane (EDC)
111-44-4	Dichlorohydrin
107-06-2	Dichloropropene
96-23-1	Dicyclohexylamine
26952-23-8	Diethylamine
101-83-7	Diethylene glycol
109-89-7	Diethylene glycol diethyl ether
111-46-6	Diethylene glycol dimethyl ether
112-36-7	Diethylene glycol monobutyl ether
111-96-6	Diethylene glycol mononbutyl ether acetate
112-34-5	Diethylene glycol monoethyl ether
124-17-7	Diethylene glycol monoethyl ether acetate
111-90-0	Diethylene glycol monoethyl ether
112-15-2	Diethylene glycol monoethyl ether acetate
111-77-3	Diethylene glycol monomethyl ether
64-67-5	Diethyl sulfate
75-37-6	Difluoroethane
25167-70-8	Diisobutylene
26761-40-0	Diisodecyl phthalate
27554-26-3	Diisooctyl phthalate
674-82-8	Diketene
124-40-3	Dimethylamine
121-69-7	N,N-dimethylaniline
115-10-6	N,N-dimethyl ether
68-12-2	N,N-dimethylformamide
57-14-7	Dimethylhydrazine
77-78-1	Dimethyl sulfate
75-18-3	Dimethyl sulfide
67-68-5	Dimethyl sulfoxide
120-61-6	Dimethyl terephthalate
99-34-3	3,5-dinitrobenzoic acid
51-28-5	Dinitrophenol
	Dinitrotolylene
123-91-1	Dioxane
646-06-0	Dioxilane



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122-39-4 Diphenylamine  
101-84-4 Diphenyl oxide  
102-08-9 Diphenyl thiourea  
25265-71-8 Dipropylene glycol  
25378-22-7 Dodecene  
28675-17-4 Dodecylamine  
27193-86-8 Dodecylphenol  
106-89-8 Epichlorohydrin  
64-17-5 Ethanol  
141-43-5 Ethanolamines  
141-78-6 Ethyl acetate  
141-97-9 Ethyl acetoacetate  
140-88-5 Ethyl acrylate  
75-04-7 Ethylamine  
100-41-4 Ethylbenzene  
74-96-4 Ethyl bromide  
9004-57-3 Ethylcellulose  
75-00-3 Ethyl chloride  
105-39-5 Ethyl chloroacetate  
105-56-6 Ethylcyanoacetate  
74-85-1 Ethylene  
96-49-1 Ethylene carbonate  
107-07-3 Ethylene chlorohydrin  
107-15-3 Ethylenediamine  
106-93-4 Ethylene dibromide  
107-21-1 Ethylene glycol  
111-55-7 Ethylene glycol diacetate  
110-71-4 Ethylene glycol dimethyl ether  
111-76-2 Ethylene glycol monobutyl ether  
112-07-2 Ethylene glycol monobutyl ether acetate  
110-80-5 Ethylene glycol monoethyl ether  
111-15-9 Ethylene glycol monoethyl ether acetate  
109-86-4 Ethylene glycol monoethyl ether  
110-49-6 Ethylene glycol monomethyl ether acetate  
122-99-6 Ethylene glycol monophenyl ether  
2807-30-9 Ethylene glycol monopropyl ether  
75-21-8 Ethylene oxide  
60-29-7 Ethyl ether  
104-76-7 2-ethylhexanol

122-51-0 Ethyl orthoformate  
95-92-1 Ethyl oxalate  
41892-71-1 Ethyl sodium oxaloacetate  
50-00-0 Formaldehyde  
75-12-7 Formamide  
64-18-6 Formic acid  
110-17-8 Fumaric acid  
98-01-1 Furfural  
56-81-5 Glycerol (Synthetic)  
26545-73-7 Glycerol dichlorohydrin  
25791-96-2 Glycerol triether  
56-40-6 Glycine  
107-22-2 Glyoxal  
118-74-1 Hexachlorobenzene  
67-72-1 Hexachloroethane  
36653-82-4 Hexadecyl alcohol  
124-09-4 Hexamethylenediamine  
629-11-8 Hexamethylene glycol  
100-97-0 Hexamethylenetetramine  
74-90-8 Hydrogen cyanide  
123-31-9 Hydroquinone  
99-96-7 p-hydroxybenzoic acid  
26760-64-5 Isoamylene  
78-83-1 Isobutanol  
110-19-0 Isobutyl acetate  
115-11-7 Isobutylene  
78-84-2 Isobutyraldehyde  
79-31-2 Isobutyric acid  
25339-17-7 Isodecanol  
26952-21-6 Isooctyl alcohol  
78-78-4 Isopentane  
78-59-1 Isophorone  
121-91-5 Isophthalic acid  
78-79-5 Isoprene  
67-63-0 Isopropanol  
108-21-4 Isopropyl acetate  
75-31-0 Isopropylamine  
75-29-6 Isopropyl chloride  
25168-06-3 Isopropylphenol  
463-51-4 Ketene<sup>(b)</sup>  
123-01-3 Linear alkyl sulfonate\*  
110-16-7 Linear alkylbenzene  
108-31-6 Maleic acid  
6915-15-7 Maleic anhydride  
141-79-7 Malic acid  
121-47-1 Mesityl oxide  
Metanilic acid

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79-41-4	Methacrylic acid
563-47-3	Methallyl chloride
67-56-1	Methanol
79-20-9	Methyl acetate
105-45-3	Methyl acetoacetate
74-89-5	Methylamine
100-61-8	n-methylaniline
74-83-9	Methyl bromide
37365-71-2	Methyl butynol
74-87-3	Methyl chloride
108-87-2	Methyl cyclohexane
1331-22-2	Methyl cyclohexanone
75-09-2	Methylene chloride
101-77-9	Methylene dianiline
101-68-8	Methylene diphenyl diisocyanate
78-93-3	Methyl ethyl ketone
107-31-3	Methyl formate
108-11-2	Methyl isobutyl carbinol
108-10-1	Methyl isobutyl ketone
80-62-6	Methyl methacrylate
77-75-8	Methylpentynol
98-83-9	B-methylstyrene
110-91-8	Morpholine
85-47-2	a-naphthalene sulfonic acid
120-18-3	B-naphthalene sulfonic acid
90-15-3	a-naphthol
135-19-3	B-naphthol
75-98-9	Neopentanoic acid
88-74-4	o-nitroaniline
100-01-6	p-nitroaniline
91-23-6	o-nitroanisole
100-17-4	p-nitroanisole
98-95-3	Nitrobenzene
27178-83-2 <sup>c</sup>	Nitrobenzoic acid (o, m & p)
79-24-3	Nitroethane
75-52-5	Nitromethane
88-75-5	Nitrophenol
25322-01-4	Nitropropane
1321-12-6	Nitrotoluene
27215-95-8	Nonene
25154-52-3	Nonylphenol
27193-28-8	Octylphenol
123-63-7	Paraldehyde
115-77-5	Pentaerythritol
109-66-0	n-pentane
109-67-1	1-pentene

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127-18-4	Perchloroethylene
594-42-3	Perchloromethyl mercaptan
94-70-2	o-phenetidine
156-43-4	p-phenetidine
108-95-2	Phenol
98-67-9,	Phenolsulfonic acids
585-38-6,	
609-46-1,	
133-39-7 <sup>c</sup>	
91-40-7	Phenyl anthranilic acid
( <sup>b</sup> )	Phenylenediamine
75-44-5	Phosgene
85-44-9	Phthalic anhydride
85-41-6	Phthalimide
108-99-6	b-picoline
110-85-0	Piperazine
9003-29-6,	Polybutenes
25036-29-7 <sup>c</sup>	
25322-68-3	Polyethylene glycol
25322-69-4	Polypropylene glycol
123-38-6	Propionaldehyde
79-09-4	Propionic acid
71-23-8	n-propyl alcohol
107-10-8	Propylamine
540-54-5	Propyl chloride
115-07-1	Propylene
127-00-4	Propylene chlorohydrin
78-87-5	Propylene dichloride
57-55-6	Propylene glycol
75-56-9	Propylene oxide
110-86-1	Pyridine
106-51-4	Quinone
108-46-3	Resorcinol
27138-57-4	Resorcylic acid
69-72-7	Salicylic acid
127-09-3	Sodium acetate
532-32-1	Sodium benzoate
9004-32-4	Sodium carboxymethyl cellulose
3926-62-3	Sodium chloroacetate
141-53-7	Sodium formate
139-02-6	Sodium phenate
110-44-1	Sorbic acid
100-42-5	Styrene
110-15-6	Succinic acid
110-61-2	Succinitrile
121-57-3	Sulfanilic acid
126-33-0	Sulfolane

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1401-55-4	Tannic acid
100-21-0	Terephthalic acid
79-34-5	Tetrachloroethanes
117-08-8	Tetrachlorophthalic anhydride
78-00-2	Tetraethyllead
119-64-2	Tetrahydronaphthalene
85-43-8	Tetrahydrophthalic anhydride
75-74-1	Tetramethyllead
110-60-1	Tetramethylenediamine
110-18-9	Tetramethylethylenediamine
108-88-3	Toluene
95-80-7	Toluene-2,4-diamine
584-84-9	Toluene-2,4-diisocyanate
26471-62-5	Toluene diisocyanates (mixture)
1333-07-9	Toluene sulfonamide
104-15-4	Toluenesulfonic acids
98-59-9	Toluene sulfonfyl chloride
26915-12-8	Toluidines
87-61-6,	Trichlorobenzenes
108-70-3,	
120-82-1,	
71-55-6	1,1,1-trichloroethane
79-00-5	1,1,2-trichloroethane
79-01-6	Trichloroethylene
75-69-4	Trichlorofluoromethane
96-18-4	1,2,3-trichloropropane
76-13-1	1,1,2-trichloro-1,2,2-trifluoroethane
121-44-8	Triethylamine
112-27-6	Triethylene glycol
112-49-2	Triethylene glycoldimethyl ether
7756-94-7	Triisobutylene
75-50-3	Trimethylamine
57-13-6	Urea
108-05-4	Vinyl acetate
75-01-4	Vinyl chloride
75-35-4	Vinylidene chloride
25013-15-4	Vinyl toluene
1330-20-7	Xylenes (mixed)
95-47-6	o-xylene
106-42-3	p-xylene
1300-71-6	Xylenol
1300-73-8	Xylidine
(b)	methyl tert-butyl ether
9002-88-4	Polyethylene

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(b)	Polypropylene
9009-53-6	Polystyrene
a)	CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.
b)	No CAS number(s) have been assigned to this chemical, to its isomers, or mixtures containing these chemicals.
c)	CAS numbers for some of the isomers are listed: the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.
(Source: 1993)	Amended at 17 Ill. Reg. 16918, effective September 27, 1993



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**Section 219. Appendix B**  
**VOM Measurement Techniques for Capture Efficiency**

**Procedure G.1 - Captured VOEM Emissions**

**1. INTRODUCTION**

**1.1 Applicability.** This procedure is applicable for determining the volatile organic compounds materials (VOEM) content of captured gas streams. It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations. The procedure may not be acceptable in certain site-specific situations, e.g., when: (1) direct fired heaters or other circumstances affect the quantity of VOEM at the control device inlet; and (2) particulate organic aerosols are formed in the process and are present in the captured emissions.

**1.2 Principle.** The amount of VOEM captured (G) is calculated as the sum of the products of the VOEM content ( $C_G$ ), the flow rate ( $Q_G$ ), and the sample time ( $T_C$ ) from each captured emissions point.

**1.3 Estimated Measurement Uncertainty.** The measurement uncertainties are estimated for each captured or fugitive emissions point as follows:  $Q_G = 5.5$  percent and  $C_G = +5.0$  percent. Based on these numbers, the probable uncertainty for G is estimated at about  $\pm 7.4$  percent.

**1.4 Sampling Requirements.** A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

**1.5 Notes.** Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

**2. APPARATUS AND REAGENTS**

**2.1 Gas VOEM Concentration.** A schematic of the measurement system is shown in Figure 1. The main components are described below:

**2.1.1 Sample Probe.** Stainless steel, or equivalent. The probe

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shall be heated to prevent VOEM condensation.

**2.1.2 Calibration Valve Assembly.** Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

**2.1.3 Sample Line.** Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

**2.1.4 Sample Pump.** A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

**2.1.5 Sample Flow Rate Control.** A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow rate control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

**2.1.6 Sample Gas Manifold.** Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If captured or fugitive emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

**2.1.7 Organic Concentration Analyzer.** An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

**2.1.7.1 Zero Drift.** Less than  $\pm 3.0$  percent of the span value.

**2.1.7.2 Calibration Drift.** Less than  $\pm 3.0$  percent of the span value.

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- 2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.
- 2.1.7.4 Response Time. Less than 30 seconds.
- 2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.
- 2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.
- 2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.
- 2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.
- 2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.
- 2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

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- 2.2 Captured Emissions Volumetric Flow Rate.
- 2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.
- 2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.
- 2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.
3. DETERMINATION OF VOLUMETRIC FLOW RATE OF CAPTURED EMISSIONS
- 3.1 Locate all points where emissions are captured from the affected facility emission unit. Using Method 1, determine the sampling points. Be sure to check each site for cyclonic or swirling flow.
- 3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.
4. DETERMINATION OF VOEM CONTENT OF CAPTURED EMISSIONS
- 4.1 Analysis Duration. Measure the VOEM responses at each captured emissions point during the entire test run or, if applicable, while the process is operating. If there are multiple captured emission locations, design a sampling system to allow a single FIA to be used to determine the VOEM responses at all sampling locations.
- 4.2 Gas VOEM Concentration.
- 4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA according to the procedure in Section 5.1.
- 4.2.2 Conduct a system check according to the procedure in Section 5.3.
- 4.2.3 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.
- 4.2.4 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been



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returned to the effluent sampling position.

4.2.5 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

4.2.6 Verify that the sample lines, filter, and pump temperatures are  $120 \pm 5^\circ\text{C}$ .

4.2.7 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple captured emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

#### 4.3 Background Concentration.

4.3.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.3.2 Assemble the sample train as shown in Figure 2. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3. NOTE: This sample train shall be a separate sampling train from the one to measure the captured emissions.

4.3.3 Position the probe at the sampling location.

4.3.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.4 to 4.2.7.

4.4 Alternative Procedure. The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be

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used to determine the gas VO<sub>CEM</sub> concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

#### 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the captured emissions for conducting the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct the system drift checks at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before and after each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

#### 6. NOMENCLATURE



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- $A_i$  = area of NDO  $i$ ,  $ft^2$ - $i$
- $A_N$  = total area of all NDO's in the enclosure,  $ft^2$ - $i$
- $C_{Bi}$  = corrected average VOCM concentration of background emissions at point  $i$ , ppm propane- $i$
- $C_B$  = average background concentration, ppm propane- $i$
- $C_{Gj}$  = corrected average VOCM concentration of captured emissions at point  $j$ , ppm propane- $i$
- $C_{DH}$  = average measured concentration for the drift check calibration gas, ppm propane- $i$
- $C_{D0}$  = average system drift check concentration for zero concentration gas, ppm propane- $i$
- $C_H$  = actual concentration of the drift check calibration gas, ppm propane- $i$
- $C_i$  = uncorrected average background VOCM concentration measured at point  $i$ , ppm propane- $i$
- $C_j$  = uncorrected average VOCM concentration measured at point  $j$ , ppm propane- $i$
- $G$  = total VOCM content of captured emissions, kg- $i$
- $K_1$  =  $1.830 \times 10^{-6}$  kg/( $m^3$ -ppm)- $i$
- $n$  = number of measurement points- $i$
- $Q_{Gj}$  = average effluent volumetric flow rate corrected to standard conditions at captured emissions point  $j$ ,  $m^3$ /min- $i$
- $T_c$  = total duration of captured emissions sampling run, min.

## 7. CALCULATIONS

## 7.1 Total VOCM Captured Emissions.

$$G = \sum_{j=1}^n (C_{Gj} - C_B) Q_{Gj} T_c K_1 \quad \text{Eq. 1}$$

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7.2 VOCM Concentration of the Captured Emissions at Point  $j$ .

$$C_{Gj} = (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

7.3 Background VOCM Concentration at Point  $i$ .

$$C_{Bi} = (C_i - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 3}$$

## 7.4 Average Background Concentration.

$$CB = \frac{\sum_{i=1}^n C_{Bi} A_i}{n A_N} \quad \text{Eq. 4}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms " $A_i$ " and " $A_N$ " may be deleted from Equation 4.

## Procedure G.2 - Captured VOCM Emissions (Dilution Technique)

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the volatile organic compounds materials (VOCM) content of captured gas streams. It is intended to be used as a segment in the development of a gas/gas protocol in which fugitive emissions are measured for determining VOCM capture efficiency (CE) for surface coating and printing operations. A dilution system is used to reduce the VOCM concentration of the captured emission to about the same concentration as the fugitive emissions. The procedure may not be acceptable in certain site-specific situations, e.g., when: (1) direct fired heaters or other circumstances affect the quantity of VOCM at the control device inlet; and (2) particulate organic aerosols are formed in the process and are present in the captured emissions.

1.2 Principle. The amount of VOCM captured ( $G$ ) is calculated as the sum of the products of the VOCM content ( $C_{Gj}$ ), the flow rate ( $Q_{Gj}$ ), and the sampling time ( $T_c$ ) from each captured emissions point.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each captured or fugitive

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emissions point as follows:  $Q_{Gj} = \pm 5.5$  percent and  $C_{Gj} = \pm 5$  percent. Based on these numbers, the probable uncertainty for G is estimated at about  $\pm 7.4$  percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

2.1 Gas VOC Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Dilution System. A Kipp in-stack dilution probe and controller or similar device may be used. The dilution rate may be changed by substituting different critical orifices or adjustments of the aspirator supply pressure. The dilution system shall be heated to prevent VOC condensation. Note: An out-of-stack dilution device may be used.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant

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sampling rate within 10 percent. The flow control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. Captured or fugitive emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the



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concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas and Dilution Air Supply. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.9.4 Dilution Check Gas. Gas mixture standard containing propane in air, approximately half the span value after dilution.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

2.2 Captured Emissions Volumetric Flow Rate.

2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.

2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

## 3. DETERMINATION OF VOLUMETRIC FLOW RATE OF CAPTURED EMISSIONS

3.1 Locate all points where emissions are captured from the

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affected facility. Using Method 1, determine the sampling points. Be sure to check each site for cyclonic or swirling flow.

3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.

4. DETERMINATION OF  $VO_{GM}$  CONTENT OF CAPTURED EMISSIONS

4.1 Analysis Duration. Measure the  $VO_{GM}$  responses at each captured emissions point during the entire test run or, if applicable, while the process is operating. If there are a multiple captured emissions locations, design a sampling system to allow a single FIA to be used to determine the  $VO_{GM}$  responses at all sampling locations.

4.2 Gas  $VO_{GM}$  Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA according to the procedure in Section 5.1.

4.2.2 Set the dilution ratio and determine the dilution factor according to the procedure in Section 5.3.

4.2.3 Conduct a system check according to the procedure in Section 5.4.

4.2.4 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.5 Inject zero gas at the calibration valve assembly.

Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.2.6 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.4. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

4.2.7 Verify that the sample lines, filter, and pump temperatures are  $120 \pm 5^\circ\text{C}$ .

4.2.8 Begin sampling at the start of the test period and



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continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple captured emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

## 4.3 Background Concentration.

4.3.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.3.2 Assemble the sample train as shown in Figure 2. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.4.

4.3.3 Position the probe at the sampling location.

4.3.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.4 to 4.2.8.

4.4 Alternative Procedure. The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOCM concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system after the dilution system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration

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to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the diluted captured emissions for conducting the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct the system drift check at the end of each run.

5.3 Determination of Dilution Factor. Inject the dilution check gas into the measurement system before the dilution system and record the response. Calculate the dilution factor using Equation 3.

5.4 System Check. Inject the high range calibration gas at the inlet to the sampling probe while the dilution air is turned off. Record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before and after each test run.

5.5 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

## 6. NOMENCLATURE

$A_i$	=	area of NDO $i$ , $ft^2$
$A_N$	=	total area of all NDO's in the enclosure, $ft^2$
$C_A$	=	actual concentration of the dilution check gas, ppm propane- $i$

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- $A_i$  = area of NDO  $i$ ,  $ft^2-i$
- $A_N$  = total area of all NDO's in the enclosure,  $ft^2-i$
- $C_{hi}$  = corrected average VOEM concentration of background emissions at point  $i$ , ppm propane- $i$
- $C_B$  = average background concentration, ppm propane- $i$
- $C_{Gj}$  = corrected average VOEM concentration of captured emissions at point  $j$ , ppm propane- $i$
- $C_{DH}$  = average measured concentration for the drift check calibration gas, ppm propane- $i$
- $C_{D0}$  = average system drift check concentration for zero concentration gas, ppm propane- $i$
- $C_H$  = actual concentration of the drift check calibration gas, ppm propane- $i$
- $C_i$  = uncorrected average background VOEM concentration measured at point  $i$ , ppm propane- $i$
- $C_j$  = uncorrected average VOEM concentration measured at point  $j$ , ppm propane- $i$
- $G$  = total VOEM content of captured emissions, kg- $i$
- $K_i$  =  $1.830 \times 10^{-6}$  kg/( $m^3$ -ppm)- $i$
- $n$  = number of measurement points- $i$
- $Q_{Gj}$  = average effluent volumetric flow rate corrected to standard conditions at captured emissions point  $j$ ,  $m^3/min-i$
- $T_C$  = total duration of captured emissions sampling run, min.

## 7. CALCULATIONS

## 7.1 Total VOEM Captured Emissions.

$$G = \sum_{j=1}^n (C_{Gj} - C_B) Q_{Gj} T_C K_i \quad \text{Eq. 1}$$

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$$C_{Gj} = DF (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

## 7.3 Dilution Factor.

$$D_F = \frac{C_A}{C_M} \quad \text{Eq. 3}$$

7.4 Background VOEM Concentration at Point  $i$ .

$$C_{Bi} = (C_i - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 4}$$

## 7.5 Average Background Concentration.

$$C_B = \frac{\sum_{i=1}^n C_{Bi} A_i}{n A_N} \quad \text{Eq. 5}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms " $A_i$ " and " $A_N$ " may be deleted from Equation 4.

Procedure F.2 - Fugitive VOEM Emissions from Building Enclosures

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the fugitive volatile organic compounds materials (VOEM) emissions from a building enclosure (BE). It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations.

1.2 Principle. The total amount of fugitive VOEM emissions ( $F_B$ ) from the BE is calculated as the sum of the products of the VOEM content ( $C_{Gj}$ ) of each fugitive emissions point, its flow rate ( $Q_{Gj}$ ), and time ( $T_F$ ).

1.3 Measurement Uncertainty. The measurement uncertainties are estimated for each fugitive emissions point as follows:  $Q_{Gj}$  =  $\pm 5.0$  percent and  $C_{Gj}$  =  $\pm 5.0$  percent. Based on these numbers, the probable uncertainty for  $F_B$  is estimated at about  $\pm 11.2$  percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for



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each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

2.1 Gas VOEM Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Sample Probe. Stainless steel, or equivalent. The probe shall be heated to prevent VOEM condensation.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow rate control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If emissions are to be measured at multiple locations, the

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measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.



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2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

## 2.2 Fugitive Emissions Volumetric Flow Rate.

2.2.1 Flow Direction Indicators. Any means of indicating inward or outward flow, such as light plastic film or paper streamers, smoke tubes, filaments, and sensory perception.

2.2.2 Method 2 or 2A Apparatus. For determining volumetric flow rate. Anemometers or similar devices calibrated according to the manufacturer's instructions may be used when low velocities are present. Vane anemometers (Young-maximum response propeller), specialized pitots with electronic manometers (e.g., Shortridge Instruments Inc., Airdata Multimeter 860) are commercially available with measurement thresholds of 15 and 8 fpm (50 and 25 fpm), respectively.

2.2.3 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.4 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

## 3. DETERMINATION OF VOLUMETRIC FLOW RATE OF FUGITIVE EMISSIONS

3.1 Preliminary Determinations. The purpose of this exercise is to determine which exhaust points should be measured for volumetric flow rates and VOEM concentrations.

3.1.1 Forced Draft Openings. Identify all forced draft openings. Determine the volumetric flow rate according to Method

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## 2.

3.1.2 NDO's Exhaust Points. The NDO's in the roof of a facility, the building or room in which the emission unit is located are considered to be exhaust points. Determine volumetric flow rate from these NDO's. Divide the cross-sectional area according to Method 1 using 12 equal areas. Use the appropriate velocity measurement devices, e.g., propeller anemometers.

## 3.1.3 Other NDO's.

3.1.3.1 This step is optional. Determine the exhaust flow rate, including that of the control device, from the enclosure and the intake air flow rate. If the exhaust flow rate divided by the intake air flow rate is greater than 1.1, then all other NDO's are not considered to be significant exhaust points.

3.1.3.2 If the option above is not taken, identify all other NDO's and other potential points through which fugitive emissions may escape the enclosure.

Then use the following criteria to determine whether flow rates and VOEM concentrations need to be measured:

3.1.3.2.1 Using the appropriate flow direction indicator, determine the flow direction. An NDO with zero or inward flow is not an exhaust point.

3.1.3.2.2 Measure the outward volumetric flow rate from the remainder of the NDO's. If the collective flow rate is 2 percent, or less, of the flow rate from Sections 3.1.1 and 3.1.2, then these NDO's, except those within two equivalent diameters (based on NDO opening) from a VOEM source emitting point, may be considered to be non-exhaust points.

3.1.3.2.3 If the percentage calculated in Section 3.1.3.2.2 is greater than 2 percent, those NDO's (except those within two equivalent diameters from a VOEM source emitting point) whose volumetric flow rate total 2 percent of the flow rate from Sections 3.1.1 and 3.1.2 may be considered as non-exhaust points. All remaining NDO's shall be measured for volumetric flow rate and VOEM concentrations during the CE test.

3.1.3.2.4 The tester may choose to measure VOEM concentrations at the forced exhaust points and the NDO's. If the total VOEM emissions from the NDO's are less than 2 percent of the emissions

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from the forced draft and roof NDO's, then these NDO's may be eliminated from further consideration.

### 3.2 Determination of Flow Rates.

3.2.1 Measure the volumetric flow rate at all locations identified as exhaust points in Section 3.1. Divide each exhaust opening into 9 equal areas for rectangular openings and 8 for circular openings.

3.2.2 Measure the velocity at each site at least once every hour during each sampling run using Method 2 or 2A, if applicable, or using the low velocity instruments in Section 2.2.2.

### 4. DETERMINATION OF VOEM CONTENT OF FUGITIVE EMISSIONS

4.1 Analysis Duration. Measure the VOEM responses at each fugitive emission point during the entire test run or, if applicable, while the process is operating. If there are multiple emissions locations, design a sampling system to allow a single FIA to be used to determine the VOEM responses at all sampling locations.

### 4.2 Gas VOEM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3, respectively.

4.2.2 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.3 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.2.4 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform drift checks during the run not to exceed one drift check per hour.

4.2.5 Verify that the sample lines, filter, and pump

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temperatures are 120  $\pm$ 5°C.

4.2.6 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the response measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

4.3 Alternative Procedure The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas VOEM concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

### 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas that most closely approximates the concentration of the captured emissions for conducting the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and



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calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct a system drift check at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check before each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

## 6. NOMENCLATURE

$C_{DH}$	=	average measured concentration for the drift check calibration gas, ppm propane-i
$C_{D0}$	=	average system drift check concentration for zero concentration gas, ppm propane-i
$C_{Fj}$	=	corrected average VOEM concentration of fugitive emissions at point j, ppm propane-i
$C_H$	=	actual concentration of the drift check calibration gas, ppm propane-i
$C_j$	=	uncorrected average VOEM concentration measured at point j, ppm propane.i
$F_B$	=	total VOEM content of fugitive emissions from the building, kg-i
$K_i$	=	$1.830 \times 10^{-6} \text{ kg}/(\text{m}^3\text{-ppm})\text{-i}$
$n$	=	number of measurement points-i
$Q_{Fj}$	=	average effluent volumetric flow rate corrected to standard conditions at fugitive emissions point j, $\text{m}^3/\text{min-i}$
$T_F$	=	total duration of capture efficiency sampling run, min.

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## 7. CALCULATIONS

## 7.1 Total VOEM Fugitive Emissions From the Building.

$$F_B = \sum_{j=1}^n C_{Fj} Q_{Fj} T_F K_i \quad \text{Eq. 1}$$

## 7.2 VOEM Concentration of the Fugitive Emissions at Point j.

$$C_{Fj} = (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

Procedure F.1 - Fugitive VOEM Emissions from Temporary Enclosures

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the fugitive volatile organic compounds materials (VOEM) emissions from a temporary total enclosure (TTE). It is intended to be used as a segment in the development of liquid/gas or gas/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations.

1.2 Principle. The amount of fugitive VOEM emissions (F) from the TTE is calculated as the sum of the products of the VOEM content ( $C_{Fj}$ ), the flow rate ( $Q_{Fj}$ ), and the sampling time ( $T_F$ ) from each fugitive emissions point.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each fugitive emission point as follows:  $Q_{Fj} = \pm 5.5$  percent and  $CF_j = \pm 5.0$  percent. Based on these numbers, the probable uncertainty for F is estimated at about  $\pm 7.4$  percent.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.



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## 2. APPARATUS AND REAGENTS

2.1 Gas VOEM Concentration. A schematic of the measurement system is shown in Figure 1. The main components are described below:

2.1.1 Sample Probe. Stainless steel, or equivalent. The probe shall be heated to prevent VOEM condensation.

2.1.2 Calibration Valve Assembly. Three-way valve assembly at the outlet of sample probe to direct the zero and calibration gases to the analyzer. Other methods, such as quick-connect lines, to route calibration gases to the outlet of the sample probe are acceptable.

2.1.3 Sample Line. Stainless steel or Teflon tubing to transport the sample gas to the analyzer. The sample line must be heated to prevent condensation.

2.1.4 Sample Pump. A leak-free pump, to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The components of the pump that contact the gas stream shall be constructed of stainless steel or Teflon. The sample pump must be heated to prevent condensation.

2.1.5 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent. The flow control valve and rotameter must be heated to prevent condensation. A control valve may also be located on the sample pump bypass loop to assist in controlling the sample pressure and flow rate.

2.1.6 Sample Gas Manifold. Capable of diverting a portion of the sample gas stream to the flame ionization analyzer (FIA), and the remainder to the bypass discharge vent. The manifold components shall be constructed of stainless steel or Teflon. If emissions are to be measured at multiple locations, the measurement system shall be designed to use separate sampling probes, lines, and pumps for each measurement location and a common sample gas manifold and FIA. The sample gas manifold and connecting lines to the FIA must be heated to prevent condensation.

2.1.7 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however, other span values may be used if it can be demonstrated that they

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would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.1.7.1 Zero Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.2 Calibration Drift. Less than  $\pm 3.0$  percent of the span value.

2.1.7.3 Calibration Error. Less than  $\pm 5.0$  percent of the calibration gas value.

2.1.7.4 Response Time. Less than 30 seconds.

2.1.8 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.1.9 Calibration and Other Gases. Gases used for calibration, fuel, and combustion air (if required) are contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm 1$  percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf life for each calibration gas cylinder over which the concentration does not change more than  $\pm 2$  percent from the certified value. For calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.1.9.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.1.9.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane or carbon equivalent) or less than 0.1 percent of the span value, whichever is greater.

2.1.9.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other

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span values may be used if it can be shown that more accurate measurements would be achieved.

2.1.10 Particulate Filter. An in-stack or an out-of-stack glass fiber filter is recommended if exhaust gas particulate loading is significant. An out-of-stack filter must be heated to prevent any condensation unless it can be demonstrated that no condensation occurs.

2.2 Fugitive Emissions Volumetric Flow Rate.

2.2.1 Method 2 or 2A Apparatus. For determining volumetric flow rate.

2.2.2 Method 3 Apparatus and Reagents. For determining molecular weight of the gas stream. An estimate of the molecular weight of the gas stream may be used if it can be justified.

2.2.3 Method 4 Apparatus and Reagents. For determining moisture content, if necessary.

2.3 Temporary Total Enclosure. The criteria for designing a TTE are discussed in Procedure T.

3. DETERMINATION OF VOLUMETRIC FLOW RATE OF FUGITIVE EMISSIONS

3.1 Locate all points where emissions are exhausted from the TTE. Using Method 1, determine the sampling points. Be sure to check each site for cyclonic or swirling flow.

3.2 Measure the velocity at each sampling site at least once every hour during each sampling run using Method 2 or 2A.

4. DETERMINATION OF VOCM CONTENT OF FUGITIVE EMISSIONS

4.1 Analysis Duration. Measure the VOCM responses at each fugitive emission point during the entire test run or, if applicable, while the process is operating. If there are multiple emission locations, design a sampling system to allow a single FIA to be used to determine the VOCM responses at all sampling locations.

4.2 Gas VOCM Concentration.

4.2.1 Assemble the sample train as shown in Figure 1. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3, respectively.

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4.2.2 Install the sample probe so that the probe is centrally located in the stack, pipe, or duct, and is sealed tightly at the stack port connection.

4.2.3 Inject zero gas at the calibration valve assembly. Allow the measurement system response to reach zero. Measure the system response time as the time required for the system to reach the effluent concentration after the calibration valve has been returned to the effluent sampling position.

4.2.4 Conduct a system check before and a system drift check after each sampling run according to the procedures in Sections 5.2 and 5.3. If the drift check following a run indicates unacceptable performance, the run is not valid. The tester may elect to perform system drift checks during the run not to exceed one drift check per hour.

4.2.5 Verify that the sample lines, filter, and pump temperatures are 120  $\pm$ 5°C.

4.2.6 Begin sampling at the start of the test period and continue to sample during the entire run. Record the starting and ending times and any required process information as appropriate. If multiple emission locations are sampled using a single FIA, sample at each location for the same amount of time (e.g., 2 minutes) and continue to switch from one location to another for the entire test run. Be sure that total sampling time at each location is the same at the end of the test run. Collect at least 4 separate measurements from each sample point during each hour of testing. Disregard the response measurements at each sampling location until two times the response time of the measurement system has elapsed. Continue sampling for at least 1 minute and record the concentration measurements.

4.3 Background Concentration.

4.3.1 Determination of VOCM Background Concentration.

4.3.1.1 Locate all NDO's of the TTE. A sampling point shall be centrally located outside of the TTE at 4 equivalent diameters from each NDO, if possible. If there are more than 6 NDO's, choose 6 sampling points evenly spaced among the NDO's.

4.3.1.2 Assemble the sample train as shown in Figure 2. Calibrate the FIA and conduct a system check according to the procedures in Sections 5.1 and 5.3.



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4.3.1.3 Position the probe at the sampling location.

4.3.1.4 Determine the response time, conduct the system check and sample according to the procedures described in Sections 4.2.3 to 4.2.6.

4.4 Alternative Procedure. The direct interface sampling and analysis procedure described in Section 7.2 of Method 18 may be used to determine the gas  $VO_{EM}$  concentration. The system must be designed to collect and analyze at least one sample every 10 minutes.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. Select the calibration gas concentration that most closely approximates that of the fugitive gas emissions to conduct the drift checks. Introduce the zero and calibration gas at the calibration valve assembly and verify that the appropriate gas flow rate and pressure are present at the FIA. Record the measurement system responses to the zero and calibration gases. The performance of the system is acceptable if the difference between the drift check measurement and the value obtained in Section 5.1 is less than 3 percent of the span value. Conduct a system drift check at the end of each run.

5.3 System Check. Inject the high range calibration gas at the inlet of the sampling probe and record the response. The performance of the system is acceptable if the measurement system response is within 5 percent of the value obtained in Section 5.1 for the high range calibration gas. Conduct a system check

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before each test run.

5.4 Analysis Audit. Immediately before each test analyze an audit cylinder as described in Section 5.2. The analysis audit must agree with the audit cylinder concentration within 10 percent.

## 6. NOMENCLATURE

$A_i$	=	area of NDO $i$ , $ft^2-i$
$A_N$	=	total area of all NDO's in the enclosure, $ft^2-i$
$C_{Bi}$	=	corrected average $VO_{EM}$ concentration of background emissions at point $i$ , ppm propane- $i$
$C_B$	=	average background concentration, ppm propane- $i$
$C_{DH}$	=	average measured concentration for the drift check calibration gas, ppm propane- $i$
$C_{Do}$	=	average system drift check concentration for zero concentration gas, ppm propane- $i$
$C_{Fj}$	=	corrected average $VO_{EM}$ concentration of fugitive emissions at point $j$ , ppm propane- $i$
$C_H$	=	actual concentration of the drift check calibration gas, ppm propane- $i$
$C_i$	=	uncorrected average background $VO_{EM}$ concentration measured at point $i$ , ppm propane- $i$
$C_j$	=	uncorrected average $VO_{EM}$ concentration measured at point $j$ , ppm propane- $i$
$G$	=	total $VO_{EM}$ content of captured emissions, kg- $i$
$K_i$	=	$1.830 \times 10^{-6} \text{ kg}/(\text{m}^3\text{-ppm})-i$
$n$	=	number of measurement points- $i$
$Q_{Fj}$	=	average effluent volumetric flow rate corrected to standard conditions at fugitive emissions point $j$ , $m^3/\text{min}-i$
$T_P$	=	total duration of fugitive emissions sampling run,



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min.

## 7. CALCULATIONS

## 7.1 Total VOEM Fugitive Emissions.

$$F = \sum_{j=1}^n (C_{Fj} - C_b) Q_{Fj} T_F K_1 \quad \text{Eq. 1}$$

## 7.2 VOEM Concentration of the Fugitive Emissions at Point j.

$$C_{Fj} = (C_j - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 2}$$

## 7.3 Background VOEM Concentration at Point i.

$$C_{Bi} = (C_i - C_{D0}) \frac{C_H}{C_{DH} - C_{D0}} \quad \text{Eq. 3}$$

## 7.4 Average Background Concentration.

$$C_b = \frac{\sum_{i=1}^n C_{Bi} A_i}{nA_N} \quad \text{Eq. 5}$$

NOTE: If the concentration at each point is within 20 percent of the average concentration of all points, the terms "A<sub>i</sub>" and "A<sub>N</sub>" may be deleted from Equation 4.

## Procedure L - VOEM Input

## 1. INTRODUCTION

1.1 Applicability. This procedure is applicable for determining the input of volatile organic compounds materials (VOEM). It is intended to be used as a segment in the development of liquid/gas protocols for determining VOEM capture efficiency (CE) for surface coating and printing operations.

1.2 Principle. The amount of VOEM introduced to the process (L) is the sum of the products of the weight (W) of each VOEM containing liquid (ink, paint, solvent, etc.) used and its VOEM content (V). A sample of each VOEM containing liquid is analyzed

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with a flame ionization analyzer (FIA) to determine V.

1.3 Estimated Measurement Uncertainty. The measurement uncertainties are estimated for each VOEM containing liquid as follows:  $W = \pm 2.0$  percent and  $V = \pm 12.0$  percent. Based on these numbers, the probable uncertainty for L is estimated at about  $\pm 12.2$  percent for each VOEM containing liquid.

1.4 Sampling Requirements. A capture efficiency test shall consist of at least three sampling runs. The sampling time for each run should be at least 8 hours, unless otherwise approved.

1.5 Notes. Because this procedure is often applied in highly explosive areas, caution and care should be exercised in choosing appropriate equipment and installing and using the equipment. Mention of trade names or company products does not constitute endorsement. All gas concentrations (percent, ppm) are by volume, unless otherwise noted.

## 2. APPARATUS AND REAGENTS

## 2.1 Liquid Weight.

2.1.1 Balances/Digital Scales. To weigh drums of VOEM containing liquids to within 0.2 lb.

2.1.2 Volume Measurement Apparatus (Alternative). Volume meters, flow meters, density measurement equipment, etc., as needed to achieve same accuracy as direct weight measurements.

2.2 VOEM Content (Flame Ionization Analyzer Technique). The liquid sample analysis system is shown in Figures 1 and 2. The following equipment is required:

2.2.1 Sample Collection Can. An appropriately sized metal can to be used to collect VOEM containing materials. The can must be constructed in such a way that it can be grounded to the coating container.

2.2.2 Needle Valves. To control gas flow.

2.2.3 Regulators. For carrier gas and calibration gas cylinders.

2.2.4 Tubing. Teflon or stainless steel tubing with diameters and lengths determined by connection requirements of equipment. The tubing between the sample oven outlet and the FIA shall be

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heated to maintain a temperature of 120  $\pm$ 5°C.

2.2.5 Atmospheric Vent. A tee and 0- to 0.5-liter/min rotameter placed in the sampling line between the carrier gas cylinder and the OEM sample vessel to release the excess carrier gas. A toggle valve placed between the tee and the rotameter facilitates leak tests of the analysis system.

2.2.6 Thermometer. Capable of measuring the temperature of the hot water bath to within 1°C.

2.2.7 Sample Oven. Heated enclosure, containing calibration gas coil heaters, critical orifice, aspirator, and other liquid sample analysis components, capable of maintaining a temperature of 120  $\pm$ 5°C.

2.2.8 Gas Coil Heaters. Sufficient lengths of stainless steel or Teflon tubing to allow zero and calibration gases to be heated to the sample oven temperature before entering the critical orifice or aspirator.

2.2.9 Water Bath. Capable of heating and maintaining a sample vessel temperature of 100  $\pm$ 5°C.

2.2.10 Analytical Balance. To measure  $\pm$ 0.001 g.

2.2.11 Disposable Syringes. 2-cc or 5-cc.

2.2.12 Sample Vessel. Glass, 40-ml septum vial. A separate vessel is needed for each sample.

2.2.13 Rubber Stopper. Two-hole stopper to accommodate 3.2-mm (1/8-in.) Teflon tubing, appropriately sized to fit the opening of the sample vessel. The rubber stopper should be wrapped in Teflon tape to provide a tighter seal and to prevent any reaction of the sample with the rubber stopper. Alternatively, any leak-free closure fabricated of non-reactive materials and accommodating the necessary tubing fittings may be used.

2.2.14 Critical Orifices. Calibrated critical orifices capable of providing constant flow rates from 50 to 250 ml/min at known pressure drops. Sapphire orifice assemblies (available from O'Keefe Controls Company) and glass capillary tubing have been found to be adequate for this application.

2.2.15 Vacuum Gauge. 0- to 760-mm (0- to 30-in.) Hg U-Tube manometer or vacuum gauge.

2.2.16 Pressure Gauge. Bourdon gauge capable of measuring the maximum air pressure at the aspirator inlet (e.g., 100 psig).

2.2.17 Aspirator. A device capable of generating sufficient vacuum at the sample vessel to create critical flow through the calibrated orifice when sufficient air pressure is present at the aspirator inlet. The aspirator must also provide sufficient sample pressure to operate the FIA. The sample is also mixed with the dilution gas within the aspirator.

2.2.18 Soap Bubble Meter. Of an appropriate size to calibrate the critical orifices in the system.

2.2.19 Organic Concentration Analyzer. An FIA with a span value of 1.5 times the expected concentration as propane; however other span values may be used if it can be demonstrated that they would provide more accurate measurements. The system shall be capable of meeting or exceeding the following specifications:

2.2.19.1 Zero Drift. Less than  $\pm$ 3.0 percent of the span value.

2.2.19.2 Calibration Drift. Less than  $\pm$ 3.0 percent of span value.

2.2.19.3 Calibration Error. Less than  $\pm$ 5.0 percent of the calibration gas value.

2.2.20 Integrator/Data Acquisition System. An analog or digital device or computerized data acquisition system used to integrate the FIA response or compute the average response and record measurement data. The minimum data sampling frequency for computing average or integrated values is one measurement value every 5 seconds. The device shall be capable of recording average values at least once per minute.

2.2.21 Chart Recorder (Optional). A chart recorder or similar device is recommended to provide a continuous analog display of the measurement results during the liquid sample analysis.

2.2.22 Calibration and Other Gases. For calibration, fuel, and combustion air (if required) contained in compressed gas cylinders. All calibration gases shall be traceable to NIST standards and shall be certified by the manufacturer to  $\pm$ 1 percent of the tag value. Additionally, the manufacturer of the cylinder should provide a recommended shelf-life for each calibration gas cylinder over which the concentration does not change more than  $\pm$ 2 percent from the certified value. For



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calibration gas values not generally available, alternative methods for preparing calibration gas mixtures, such as dilution systems, may be used with prior approval.

2.2.22.1 Fuel. A 40 percent  $H_2/60$  percent He or 40 percent  $H_2/60$  percent  $N_2$  gas mixture is recommended to avoid an oxygen synergism effect that reportedly occurs when oxygen concentration varies significantly from a mean value.

2.2.22.2 Carrier Gas. High purity air with less than 1 ppm of organic material (as propane) or less than 0.1 percent of the span value, whichever is greater.

2.2.22.3 FIA Linearity Calibration Gases. Low-, mid-, and high-range gas mixture standards with nominal propane concentrations of 20-30, 45-55, and 70-80 percent of the span value in air, respectively. Other calibration values and other span values may be used if it can be shown that more accurate measurements would be achieved.

2.2.22.4 System Calibration Gas. Gas mixture standard containing propane in air, approximating the undiluted VOEM concentration expected for the liquid samples.

### 3. DETERMINATION OF LIQUID INPUT WEIGHT

3.1 Weight Difference. Determine the amount of material introduced to the process as the weight difference of the feed material before and after each sampling run. In determining the total VOEM containing liquid usage, account for: (a) the initial (beginning) VOEM containing liquid mixture; (b) any solvent added during the test run; (c) any coating added during the test run; and (d) any residual VOEM containing liquid mixture remaining at the end of the sample run.

3.1.1 Identify all points where VOEM containing liquids are introduced to the process. To obtain an accurate measurement of VOEM containing liquids, start with an empty fountain (if applicable). After completing the run, drain the liquid in the fountain back into the liquid drum (if possible), and weigh the drum again. Weigh the VOEM containing liquids to  $\pm 0.5$  percent of the total weight (full) or  $\pm 0.1$  percent of the total weight of VOEM containing liquid used during the sample run, whichever is less. If the residual liquid cannot be returned to the drum, drain the fountain into a preweighed empty drum to determine the final weight of the liquid.

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3.1.2 If it is not possible to measure a single representative mixture, then weigh the various components separately (e.g., if solvent is added during the sampling run, weigh the solvent before it is added to the mixture). If a fresh drum of VOEM containing liquid is needed during the run, then weigh both the empty drum and fresh drum.

3.2 Volume Measurement (Alternative). If direct weight measurements are not feasible, the tester may use volume meters and flow rate meters (and density measurements) to determine the weight of liquids used if it can be demonstrated that the technique produces results equivalent to the direct weight measurements. If a single representative mixture cannot be measured, measure the components separately.

### 4. DETERMINATION OF VOEM CONTENT IN INPUT LIQUIDS

#### 4.1 Collection of Liquid Samples.

4.1.1 Collect a 100-ml or larger sample of the VOEM containing liquid mixture at each application location at the beginning and end of each test run. A separate sample should be taken of each VOEM containing liquid added to the application mixture during the test run. If a fresh drum is needed during the sampling run, then obtain a sample from the fresh drum.

4.1.2 When collecting the sample, ground the sample container to the coating drum. Fill the sample container as close to the rim as possible to minimize the amount of headspace.

4.1.3 After the sample is collected, seal the container so the sample cannot leak out or evaporate.

4.1.4 Label the container to identify clearly the contents.

#### 4.2 Liquid Sample VOEM Content.

4.2.1 Assemble the liquid VOEM content analysis system as shown in Figure 1.

4.2.2 Permanently identify all of the critical orifices that may be used. Calibrate each critical orifice under the expected operating conditions (i.e., sample vacuum and temperature) against a volume meter as described in Section 5.3.

4.2.3 Label and tare the sample vessels (including the stoppers and caps) and the syringes.



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4.2.4 Install an empty sample vessel and perform a leak test of the system. Close the carrier gas valve and atmospheric vent and evacuate the sample vessel to 250 mm (10 in.) Hg absolute or less using the aspirator. Close the toggle valve at the inlet to the aspirator and observe the vacuum for at least one minute. If there is any change in the sample pressure, release the vacuum, adjust or repair the apparatus as necessary and repeat the leak test.

4.2.5 Perform the analyzer calibration and linearity checks according to the procedure in Section 5.1. Record the responses to each of the calibration gases and the back-pressure setting of the FIA.

4.2.6 Establish the appropriate dilution ratio by adjusting the aspirator air supply or substituting critical orifices. Operate the aspirator at a vacuum of at least 25 mm (1 in.) Hg greater than the vacuum necessary to achieve critical flow. Select the dilution ratio so that the maximum response of the FIA to the sample does not exceed the high-range calibration gas.

4.2.7 Perform system calibration checks at two levels by introducing compressed gases at the inlet to the sample vessel while the aspirator and dilution devices are operating. Perform these checks using the carrier gas (zero concentration) and the system calibration gas. If the response to the carrier gas exceeds  $\pm 0.5$  percent of span, clean or repair the apparatus and repeat the check. Adjust the dilution ratio as necessary to achieve the correct response to the upscale check, but do not adjust the analyzer calibration. Record the identification of the orifice, aspirator air supply pressure, FIA back-pressure, and the responses of the FIA to the carrier and system calibration gases.

4.2.8 After completing the above checks, inject the system calibration gas for approximately 10 minutes. Time the exact duration of the gas injection using a stopwatch. Determine the area under the FIA response curve and calculate the system response factor based on the sample gas flow rate, gas concentration, and the duration of the injection as compared to the integrated response using Equations 2 and 3.

4.2.9 Verify that the sample oven and sample line temperatures are  $120 \pm 5^\circ\text{C}$  and that the water bath temperature is  $100 \pm 5^\circ\text{C}$ .

4.2.10 Fill a tared syringe with approximately 1 g of the VOEM containing liquid and weigh it. Transfer the liquid to a tared

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sample vessel. Plug the sample vessel to minimize sample loss. Weigh the sample vessel containing the liquid to determine the amount of sample actually received. Also, as a quality control check, weigh the empty syringe to determine the amount of material delivered. The two coating sample weights should agree within  $\pm 0.02$  g. If not, repeat the procedure until an acceptable sample is obtained.

4.2.11 Connect the vessel to the analysis system. Adjust the aspirator supply pressure to the correct value. Open the valve on the carrier gas supply to the sample vessel and adjust it to provide a slight excess flow to the atmospheric vent. As soon as the initial response of the FIA begins to decrease, immerse the sample vessel in the water bath. (Applying heat to the sample vessel too soon may cause the FID response to exceed the calibrated range of the instrument, and thus invalidate the analysis.)

4.2.12 Continuously measure and record the response of the FIA until all of the volatile material has been evaporated from the sample and the instrument response has returned to the baseline (i.e., response less than 0.5 percent of the span value). Observe the aspirator supply pressure, FIA back-pressure, atmospheric vent, and other system operating parameters during the run; repeat the analysis procedure if any of these parameters deviate from the values established during the system calibration checks in Section 4.2.7. After each sample perform the drift check described in Section 5.2. If the drift check results are acceptable, calculate the VOEM content of the sample using the equations in Section 7. Integrate the area under the FIA response curve, or determine the average concentration response and the duration of sample analysis.

## 5. CALIBRATION AND QUALITY ASSURANCE

5.1 FIA Calibration and Linearity Check. Make necessary adjustments to the air and fuel supplies for the FIA and ignite the burner. Allow the FIA to warm up for the period recommended by the manufacturer. Inject a calibration gas into the measurement system and adjust the back-pressure regulator to the value required to achieve the flow rates specified by the manufacturer. Inject the zero- and the high-range calibration gases and adjust the analyzer calibration to provide the proper responses. Inject the low- and mid-range gases and record the responses of the measurement system. The calibration and linearity of the system are acceptable if the responses for all four gases are within 5 percent of the respective gas values. If

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the performance of the system is not acceptable, repair or adjust the system and repeat the linearity check. Conduct a calibration and linearity check after assembling the analysis system and after a major change is made to the system.

5.2 Systems Drift Checks. After each sample, repeat the system calibration checks in Section 4.2.7 before any adjustments to the FIA or measurement system are made. If the zero or calibration drift exceeds  $\pm 3$  percent of the span value, discard the result and repeat the analysis.

5.3 Critical Orifice Calibration.

5.3.1 Each critical orifice must be calibrated at the specific operating conditions that it will be used. Therefore, assemble all components of the liquid sample analysis system as shown in Figure 3. A stopwatch is also required.

5.3.2 Turn on the sample oven, sample line, and water bath heaters and allow the system to reach the proper operating temperature. Adjust the aspirator to a vacuum of 380 mm (15 in.) Hg vacuum. Measure the time required for one soap bubble to move a known distance and record barometric pressure.

5.3.3 Repeat the calibration procedure at a vacuum of 406 mm (16 in.) Hg and at 25-mm (1-in.) Hg intervals until three consecutive determinations provide the same flow rate. Calculate the critical flow rate for the orifice in ml/min at standard conditions. Record the vacuum necessary to achieve critical flow.

## 6. NOMENCLATURE

- $A_L$  = area under the response curve of the liquid sample, area count $_{-i}$
- $A_s$  = area under the response curve of the calibration gas, area count $_{-i}$
- $C_s$  = actual concentration of system calibration gas, ppm propane $_{-i}$
- $K$  =  $1.830 \times 10^{-9}$  g/(ml-ppm) $_{-i}$
- $L$  = total VOEM content of liquid input, kg $_{-i}$
- $M_L$  = mass of liquid sample delivered to the sample

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vessel, g $_{-i}$

$q$  = flow rate through critical orifice, ml/min $_{-i}$

RF = liquid analysis system response factor, g/area count $_{-i}$

$T_s$  = total gas injection time for system calibration gas during integrator calibration, min $_{-i}$

$V_{Fj}$  = final VOEM fraction of VOEM containing liquid j $_{-i}$

$V_{ij}$  = initial VOEM fraction of VOEM containing liquid j $_{-i}$

$V_{Aj}$  = VOEM fraction of VOEM containing liquid j added during the run $_{-i}$

$V$  = VOEM fraction of liquid sample $_{-i}$

$W_{Fj}$  = weight of VOEM containing liquid j remaining at end of the run, kg $_{-i}$

$W_{ij}$  = weight of VOEM containing liquid j at beginning of the run, kg $_{-i}$

$W_{Aj}$  = weight of VOEM containing liquid j added during the run, kg.

## 7. CALCULATIONS

7.1 Total VOEM Content of the Input VOEM Containing Liquid.

$$L = \sum_{j=1}^n V_{ij} W_{ij} = V_{Fj} W_{Fj} + \sum_{j=1}^n V_{Aj} W_{Aj} \quad \text{Eq. 1}$$

7.2 Liquid Sample Analysis System Response Factor for Systems Using Integrators, Grams/Area Counts.

$$RF = \frac{C_s q T_s K}{A_s} \quad \text{Eq. 2}$$

7.3 VOEM Content of the Liquid Sample.

$$V = \frac{A_L RF}{M_L} \quad \text{Eq. 3}$$

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Procedure T - Criteria for and Verification of a Permanent or Temporary Total Enclosure

3.4 The average facial velocity (FV) of air through all NDO's shall be at least 3,600 m/hr (200 fpm). The direction of air through all NDO's shall be into the enclosure.

## 1. INTRODUCTION

1.1 Applicability. This procedure is used to determine whether a permanent or temporary enclosure meets the criteria of a total enclosure.

3.5 All access doors and windows whose areas are not included in Section 3.3 and are not included in the calculation in Section 3.4 shall be closed during routine operation of the preeseemission unit.

1.2 Principle. An enclosure is evaluated against a set of criteria. If the criteria are met and if all the exhaust gases are ducted to a control device, then the volatile organic compounds materials (VOEM) capture efficiency (CE) is assumed to be 100 percent and CE need not be measured. However, if part of the exhaust gas stream is not ducted to a control device, CE must be determined.

## 2. DEFINITIONS

2.1 Natural Draft Opening (NDO) -- Any permanent opening in the enclosure that remains open during operation of the facility emission unit and is not connected to a duct in which a fan is installed.

2.2 Permanent Total Enclosure (PTE) -- A permanently installed enclosure that completely surrounds an source-of emissions unit such that all VOEM emissions are captured and contained for discharge through a control device.

2.3 Temporary Total Enclosure (TTE) -- A temporarily installed enclosure that completely surrounds an source-of emissions unit such that all VOEM emissions are captured and contained for discharge through ducts that allow for the accurate measurement of VOEM rates.

## 3. CRITERIA OF A TEMPORARY TOTAL ENCLOSURE

3.1 Any NDO shall be at least 4 equivalent opening diameters from each VOEM emitting point.

3.2 Any exhaust point from the enclosure shall be at least 4 equivalent duct or hood diameters from each NDO.

3.3 The total area of all NDO's shall not exceed 5 percent of the surface area of the enclosure's four walls, floor, and ceiling.

## 4. CRITERIA OF A PERMANENT TOTAL ENCLOSURE

4.1 Same as Sections 3.1 and 3.3 - 3.5.

4.2 All VOEM emissions must be captured and contained for discharge through a control device.

## 5. PROCEDURE

5.1 Determine the equivalent diameters of the NDO's and determine the distances from each VOEM emitting point to all NDO's. Determine the equivalent diameter of each exhaust duct or hood and its distance to all NDO's. Calculate the distances in terms of equivalent diameters. The number of equivalent diameters shall be at least 4.

5.2 Measure the total area ( $A_t$ ) of the enclosure and the total area ( $A_w$ ) of all NDO's of the enclosure. Calculate the NDO to enclosure area ratio (NEAR) as follows:

$$\text{NEAR} = A_N/A_t$$

The NEAR must be  $< 0.05$ .

5.3 Measure the volumetric flow rate, corrected to standard conditions, of each gas stream exiting the enclosure through an exhaust duct or hood using EPA Method 2. In some cases (e.g., when the building is the enclosure), it may be necessary to measure the volumetric flow rate, corrected to standard conditions, of each gas stream entering the enclosure through a forced makeup air duct using Method 2. Calculate FV using the following equation:

$$\text{FV} = [Q_0 - Q_i]/A_N$$

where:

$Q_0$  = the sum of the volumetric flow from all gas



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streams exiting the enclosure through an exhaust duct or hood.

$Q_1$  = the sum of the volumetric flow from all gas streams into the enclosure through a forced makeup air duct; zero, if there is no forced makeup air into the enclosure.

$A_N$  = total area of all NDO's in enclosure.

The FV shall be at least 3,600 m/hr (200 fpm).

5.4 Verify that the direction of air flow through all NDO's is inward. Use streamers, smoke tubes, tracer gases, etc. Strips of plastic wrapping film have been found to be effective. Monitor the direction of air flow at intervals of at least 10 minutes for at least 1 hour.

## 6. QUALITY ASSURANCE

6.1 The success of this protocol lies in designing the TTE to simulate the conditions that exist without the TTE, i.e., the effect of the TTE on the normal flow patterns around the affected ~~facility~~ emission unit or the amount of fugitive VOEM emissions should be minimal. The TTE must enclose the application stations, coating reservoirs, and all areas from the application station to the oven. The oven does not have to be enclosed if it is under negative pressure. The NDO's of the temporary enclosure and a fugitive exhaust fan must be properly sized and placed.

6.2. Estimate the ventilation rate of the TTE that best simulates the conditions that exist without the TTE, i.e., the effect of the TTE on the normal flow patterns around the affected ~~facility~~ emission unit or the amount of fugitive VOEM emissions should be minimal. Figure 1 may be used as an aid. Measure the concentration ( $C_0$ ) and flow rate ( $Q_0$ ) of the captured gas stream, specify a safe concentration ( $C_P$ ) for the fugitive gas stream, estimate the CE, and then use the plot in Figure 1 to determine the volumetric flowrate of the fugitive gas stream ( $Q_P$ ). A fugitive VOEM emission exhaust fan that has a variable flow control is desirable.

6.2.1 Monitor the concentration of VOEM into the capture device without the TTE. To minimize the effect of temporal variation on the captured emissions, the baseline measurement should be made over as long a time period as practical. However, the process conditions must be the same for the measurement in Section 6.2.3

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as they are for this baseline measurement. This may require short measuring times for this quality control check before and after the construction of the TTE.

6.2.2 After the TTE is constructed, monitor the VOEM concentration inside the TTE. This concentration shall not continue to increase and must not exceed the safe level according to OSHA requirements for permissible exposure limits. An increase in VOEM concentration indicates poor TTE design or poor capture efficiency.

6.2.3 Monitor the concentration of VOEM into the capture device with the TTE. To limit the effect of the TTE on the process, the VOEM concentration with and without the TTE must be within  $\pm 10$  percent. If the measurements do not agree, adjust the ventilation rate from the TTE until they agree within 10 percent.

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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Section 219. Appendix C  
Reference Test Methods and Procedures For Air Oxidation Processes

## Introduction

This Appendix presents the reference methods and procedures required for implementing Reasonably Available Control Technology (RACT). Methods and procedures are identified for two types of RACT implementation:

- a) Determination of VOEM destruction efficiency for evaluating compliance with the 98 weight percent VOEM reduction or 20 ppmv emission limit specified in Sections 215.520 through 215.527; and
- b) Determination of offgas flowrate, hourly emissions and stream net heating value for calculating TRE.

All reference methods identified in this Appendix refer to the reference methods specified at 40 CFR 60, Appendix A, incorporated by reference in Section 215.105.

## VOEM DESTRUCTION EFFICIENCY DETERMINATION

The following reference methods and procedures are required for determining compliance with the percent destruction efficiency specified in Sections 215.520 through 215.527.

- a) Reference Method 1 or 1A for selection of the sampling site. The control device inlet sampling site for determination of vent stream molar composition or total organic compound destruction efficiency shall be prior to the inlet of any control device and after all recovery devices.
- b) Reference Methods 2, 2A, 2C or 2D for determination of the volumetric flowrate.
- c) Reference Method 3 to measure oxygen concentration of the air dilution correction. The emission sample shall be corrected to 3 percent oxygen.
- d) Reference Method 18 to determine the concentration of total organic compounds (minus methane and ethane) in the control device outlet and total organic compound reduction efficiency of the control device.

## TRE DETERMINATION

The following reference methods and procedures are required for determining the offgas flowrate, hourly emissions, and the net heating value of the gas combusted to calculate the vent stream TRE.

- a) Reference Method 1 or 1A for selection of the sampling site. The sampling site for the vent stream flowrate and molar composition determination prescribed in (b) and (c) shall be prior to the inlet of any combustion device, prior to any post-reactor dilution of the stream with air and prior to any post-reactor introduction of halogenated compounds into the vent stream. Subject to the preceding restrictions on the sampling site, it shall be after the final recovery device. If any gas stream other than the air oxidation vent stream is normally conducted through the recovery system of the affected facility, such stream shall be rerouted or turned off while the vent stream is sampled, but shall be routed normally prior to the measuring of the initial value of the monitored parameters for determining compliance with the recommended RACT. If the air oxidation vent stream is normally routed through any equipment which is not a part of the air oxidation process as defined in 35 Ill. Adm. Code 211.122, such equipment shall be bypassed by the vent stream while the vent stream is sampled, but shall not be bypassed during the measurement of the initial value of the monitored parameters for determining compliance with Subpart V.
- b) The molar composition of the vent stream shall be determined using the following methods:
  - 1) Reference Method 18 to measure the concentration of all organics, including those containing halogens, unless a significant portion of the compounds of interest are polymeric (high molecular weight), can polymerize before analysis or have low vapor pressures, in which case Reference Method 25(a) shall be used.
  - 2) ASTM D1946-67 (reapproved 1977), incorporated by reference in Section 215.105, to measure the concentration of carbon monoxide and hydrogen.
  - 3) Reference Method 4 to measure the content of water vapor, if necessary.
- c) The volumetric flowrate shall be determined using Reference Method 2, 2A, 2C or 2D, as appropriate.

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- d) The net heating value of the vent stream shall be calculated using the following equation:

$$H = K \sum_{i=1}^n C_i H_i$$

Where:

H = Net heating value of the sample, MJ/scm, where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20°C, as in the definition of F (vent stream flowrate) below.

K = Constant,  $1.740 \times 10^{-7}$  (1/ppm) (mole/scm) (MJ/kcal) where standard temperature for mole/scm is 20°C.

C<sub>i</sub> = Concentration of sample component i, reported on a wet basis, in ppm, as measured by Reference Method 18 or ASTM D1946-67 (reapproved 1977), incorporated by reference in Section 215.105.

H<sub>i</sub> = Net heat of combustion of sample component i, kcal/mole based on combustion at 25°C and 760 mm Hg. If published values are not available or cannot be calculated, the heats of combustion of vent stream components are required to be determined using ASTM D2382-76, incorporated by reference in Section 215.105.

- e) The emission rate of total organic compounds in the process vent stream shall be calculated using the following equation:

$$E = K \sum_{i=1}^n C_i M_i$$

Where:

E = Emission rate of total organic compounds (minus methane and ethane) in the sample in kg/hr-;

K = Constant  $2.494 \times 10^{-6}$  (1/ppm) (mole/scm) (kg/g) (min/hr), where standard temperature for (mole/scm) is 20°C-;

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M<sub>i</sub> = Molecular weight of sample component i (g/mole)-;

F = Vent stream flowrate (scm/min), at a standard temperature of 20°C.

- f) The total vent stream concentration (by volume) of compounds containing halogens (ppmv, by compound) shall be summed from the individual concentrations of compounds containing halogens which were measured by Reference Method 18.

(Source: Amended at 17 Ill. Reg. \_\_\_\_\_, effective September 27, 1993)



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## Section 219, Appendix D

Coefficients for the Total Resource Effectiveness Index (TRE)  
Equation

This Appendix contains values for the total resource effectiveness index (TRE) equation in Subpart V.

If a flow rate falls exactly on the boundary between the indicated ranges, the operator shall use the row in which the flow rate is maximum.

COEFFICIENTS FOR TRE EQUATION FOR CHLORINATED PROCESS  
VENT STREAMS WITH

NET HEATING VALUE LESS THAN OR EQUAL TO 3.5 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	48.73	0.	0.404	-0.1632	0.	0.
13.5	700.	42.35	0.624	0.404	-0.1632	0.	0.0245
700.	1400.	84.38	0.678	0.404	-0.1632	0.	0.0346
1400.	2100.	126.41	0.712	0.404	-0.1632	0.	0.0424
2100.	2800.	168.44	0.747	0.404	-0.1632	0.	0.0490
2800.	3500.	210.47	0.758	0.404	-0.1632	0.	0.0548

COEFFICIENTS FOR TRE EQUATION FOR CHLORINATED PROCESS  
VENT STREAMS WITH

NET HEATING VALUE GREATER THAN 3.5 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	47.76	0.	-0.292	0.	0.	0.
13.5	700.	41.58	0.605	-0.292	0.	0.	0.0245
700.	1400.	82.84	0.658	-0.292	0.	0.	0.0346
1400.	2100.	123.10	0.691	-0.292	0.	0.	0.0424
2100.	2800.	165.36	0.715	-0.292	0.	0.	0.0490
2800.	3500.	206.62	0.734	-0.292	0.	0.	0.0548

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS  
VENT STREAMS WITH

NET HEATING VALUE LESS THAN OR EQUAL TO 0.48 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	19.05	0.	0.113	-0.214	0.	0.

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13.5	1350.	16.61	0.239	0.113	-0.214	0.	0.0245
1350.	2700.	32.91	0.260	0.113	-0.214	0.	0.0346
2700.	4050.	49.21	0.273	0.113	-0.214	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS  
VENT STREAMS

WITH NET HEATING VALUE GREATER THAN 0.48 AND LESS THAN OR  
EQUAL TO 1.9 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	19.74	0.	0.400	-0.202	0.	0.
13.5	1350.	18.30	0.138	0.400	-0.202	0.	0.0245
1350.	2700.	36.28	0.150	0.400	-0.202	0.	0.0346
2700.	4050.	54.26	0.158	0.400	-0.202	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS  
VENT STREAMS

WITH NET HEATING VALUE GREATER THAN 1.9 AND LESS THAN OR  
EQUAL TO 3.6 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	15.24	0.	0.033	0.	0.	0.
13.5	1190.	13.63	0.157	0.033	0.	0.	0.0245
1190.	2380.	26.95	0.171	0.033	0.	0.	0.0346
2380.	3570.	40.27	0.179	0.033	0.	0.	0.0424

COEFFICIENTS FOR TRE EQUATION FOR NONCHLORINATED PROCESS  
VENT STREAMS WITH

NET HEATING VALUE GREATER THAN 3.6 MJ/scm

## FLOW RATE

Min.	Max.	a	b	c	d	e	f
0.	13.5	15.24	0.	0.	0.0090	0.	0.
13.5	1190.	13.63	0.	0.	0.0090	0.0503	0.0245
1190.	2380.	26.95	0.	0.	0.0090	0.0546	0.0346
2380.	3570.	40.27	0.	0.	0.0090	0.0573	0.0424

(Source: Amended at 17 Ill. Reg. 16918, effective September 27, 1993)

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1) Heading of the Part: Medical Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1285

3) Section Numbers: Adopted Action:

1285.20 Amendment  
1285.50 Amendment  
1285.60 Amendment  
1285.70 Amendment  
1285.80 Amendment  
1285.90 Amendment  
1285.91 New Section  
1285.100 Amendment  
1285.101 New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 4400-9, 4400-10, 4400-11, 4400-12, 4400-13, 4400-14, 4400-18 and 4400-19 [225 ILCS 60/9, 10, 11, 12, 13, 14, 18 and 19].

5) Effective Date of Amendments: September 27, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: September 24, 1993

9) Date Notice of Proposal Published in Illinois Register: June 25, 1993, at 17 Ill. Reg. 9624.

10) Has ICAR issued a Statement of Objections to these amendments? No

11) Difference(s) between proposal and final version:

The only changes involved style and punctuation which were made in response to comments made by the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes, but no agreement letter with ICAR was required since there were no substantive changes.

13) Will these Amendments replace an Emergency Amendment currently in effect? No

14) Are there any Amendments pending on this Part? No

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TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1285  
MEDICAL PRACTICE ACT OF 1987

SUBPART A: MEDICAL LICENSING, RENEWAL AND  
RESTORATION PROCEDURE

Section	
1285.200	Six (6) Year Post-Secondary Programs of Medical Education
1285.20	Programs of Chiropractic Education
1285.30	Approved Postgraduate Clinical Training Programs
1285.40	Application for Examination
1285.50	Examinations
1285.60	Application for a License on the Basis of Examination
1285.70	Licensure by Endorsement
1285.80	Temporary Licenses
1285.90	Visiting Resident Permits
1285.91	Clinical Skills Standards for Applicants Having Graduated More Than
1285.95	Five (5) Years Prior to Application Pre-1985-Graduates
1285.100	Visiting Professor Permits
1285.101	Visiting Physician Permits
1285.105	Chiropractic Physician Preceptorship
1285.110	Continuing Medical Education (CME)
1285.120	Renewals
1285.130	Restoration and Inactive Status
1285.140	Granting Variances

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

Section	
1285.200	Medical Disciplinary Board
1285.205	Complaint Committee
1285.210	The Medical Coordinator
1285.215	Complaint Handling Procedure
1285.220	Informal Conferences
1285.225	Consent Orders
1285.230	Summary Suspension
1285.235	Mandatory Reporting of Impaired Physicians by Health Care
	Institutions
1285.240	Standards
1285.245	Advertising

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1285.250	Monitoring of Probation and Other Discipline and Notification
1285.255	Rehabilitation
1285.260	Fines
1285.265	Subpoena Process of Medical and Hospital Records
1285.270	Inspection of Physical Premises
1285.275	Failing to Furnish Information

SUBPART C: GENERAL INFORMATION

Section	
1285.310	Public Access to Records and Meetings
1285.320	Response to Hospital Inquiries
1285.330	Rules of Evidence

**AUTHORITY:** Implementing the Medical Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 4400-1 through 4400-63 ) [225 ILCS 60] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

**SOURCE:** Adopted at 13 Ill. Reg. 483, effective December 29, 1988; emergency amendment at 13 Ill. Reg. 651, effective January 1, 1989, for a maximum of 150 days; emergency expired May 31, 1989; amended at 13 Ill. Reg. 10613, effective June 16, 1989; amended at 13 Ill. Reg. 10925, effective June 21, 1989; emergency amendment at 15 Ill. Reg. 7785, effective April 30, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 13365, effective September 3, 1991; amended at 15 Ill. Reg. 17724, effective November 26, 1991; amended at 17 Ill. Reg. 17191, effective September 27, 1993.

SUBPART A: MEDICAL LICENSING, RENEWAL & RESTORATION PROCEDURE

Section 1285.20 Six (6) Year Post-Secondary Programs of Medical Education

The standards for the six (6) year post-secondary program of medical or osteopathic ("medical") education described in Section 11(A)(2)(a)(i) of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989 1991, ch. 111, pars. 4400-1-et-seq- through 4400-63) [225 ILCS 60] ("the Act") are:

- a) At least two (2) academic years of a course of instruction, in a college, university or other institution.
- b) At least two (2) academic years of study in the basic medical sciences which shall include formal instruction in at least the following subjects:

- 1) anatomy;
- 2) biochemistry;
- 3) physiology;



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- 4) microbiology and immunology;
- 5) pathology;
- 6) pharmacology and therapeutics; and
- 7) preventive medicine.

c) The required basic science courses stated in subsection (b) must be taken and completed as part of a program of medical education taught at a medical school and shall not be accepted or co-validated from courses completed as a student in a secondary school, community college, or college of liberal arts and sciences at which degrees are earned prior to the commencement of the medical education program.

d) At least two (2) academic years of study in the clinical sciences, while enrolled in the medical college which conferred the degree, which shall include at least the following required core clerkship rotations:

- 1) internal medicine;
- 2) obstetrics and gynecology;
- 3) pediatrics;
- 4) psychiatry; and
- 5) surgery.

e) The core clerkship rotations must have been taken and completed in clinical teaching facilities owned, operated or formally affiliated with the medical college which conferred the degree or under contract in teaching facilities owned, operated or formally affiliated with another medical college which is officially recognized by the jurisdiction in which the medical school which conferred the degree is located.

f) Each applicant for licensure who completed rotations in an affiliated teaching facility must submit a copy of each affiliation agreement between the medical college which conferred the degree and each clinical teaching facility in which a core clerkship rotation was completed. The affiliation agreement(s) to be considered valid pursuant to Section 11(A)(2)(a)(i) of the Act must:

- 1) be in writing;
- 2) be dated;
- 3) be fully executed by the administrator of the clinical teaching facility and the Dean of medical college;
- 4) clearly define the rights and responsibilities of each party, including agreements on the role and authority of the governing bodies of both the clinical teaching facility and the medical college; and

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5) be substantiated by submission of an evaluation form completed by the supervising physician for each core clerkship rotation.

g) If a written affiliation agreement does not exist, the Department of Professional Regulation (the "Department") shall accept, in lieu of such agreement, an affidavit signed by the current Dean of the medical college and an affidavit signed by the current administrator of the clinical teaching facility which verifies the following:

- 1) that a verbal affiliation agreement existed between the clinical teaching facility and the medical college at the time the core clerkship rotation was completed;
- 2) that the applicant was authorized to complete such core clerkship rotation;
- 3) that the core clerkship rotation was completed satisfactorily.

The affidavits shall be substantiated by submission of the evaluation form completed by the supervising physician for each core clerkship rotation.

h) For the purposes of this Section, "academic year" shall be defined as a minimum period of nine (9) months which includes no less than 25 clock hours per week of basic sciences as set forth in subsection (b) above and no less than 40 clock hours per week of clinical sciences as set forth in subsection (d) above.

i) Each clerkship shall be at least four (4) weeks in length, shall consist of hands-on experience with patients which is planned, managed and supervised by faculty of the medical school conferring the degree, and be performed in accordance with all requirements of the jurisdiction in which it is completed. The four week psychiatry core clerkship rotation may be completed as follows: two weeks must be obtained formally and distinctly in psychiatry and the other two week requirement may be included in other clinical rotations as verified by the applicant's affidavit.

j) Clinical teaching facilities are defined as those which meet or exceed the requirements of Section 1285.40 or which are part of a residency program accredited by the Accreditation Council for Graduate Medical Education (ACGME), the American Osteopathic Association (AOA), or the Accreditation Council on Canadian Graduate Medical Education (ACCGME).

k) In addition, if the applicant is a graduate of a medical college outside of the United States or Canada, he/she must successfully complete an examination conducted by the Educational Commission for Foreign Medical Graduates, either the ECFMG or the Visa Qualifying Examination (VQE), or Foreign Medical Graduates Examination in the Medical Sciences

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(FMGEMS), or another comprehensive examination determined by the Department to be substantially equivalent.

- 1) When the accuracy of any submitted documentation, or the relevance or sufficiency of the coursework or core clerkship rotations is questioned by the Department because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant shall be requested to:
  - 1) provide such information as may be necessary; and/or
  - 2) appear for an oral interview before the Medical Licensing Board (the "Board") to explain such relevance or sufficiency or otherwise clear up any discrepancies or conflicts in information.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1993)

## Section 1285.50 Application for Examination

- a) An applicant for licensure to practice medicine in all of its branches must make application to the Department or its designated testing service on forms furnished by the Department at least 90 days prior to such examination.
- b) Each applicant to take the examination for a license to practice medicine in all of its branches shall submit to the Department:

- 1) A fully completed application, ~~which is~~ signed by the applicant, on which all questions have been answered, and all programs of medical education attended by the applicant have been identified;
- 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activity which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
- 3) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285(a) of this Part;

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- 4) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree;
  - 5) Individuals applying under Section 11(A)(2)(a)(i) shall also submit certification, on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of passage of the examination set forth in Section 1285.20(k);
  - 6) Proof of successful completion of the United States Medical Licensing Examination (USMLE) Step 1 and Step 2 in accordance with Section 1285.60 or combination of examinations set forth in Section 1285.60(a)(4). Examination scores shall be submitted directly to the Department from the testing entity.
- 6) A complete work history since graduation from medical school;
  - 7) Fees as required by Section 21 of the Act;
  - 9) Proof of satisfactory completion of an approved clinical training program in accordance with Section 1285.40;
  - 10) Documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(A)(i) of the Act from those applicants who graduated from medical school more than five years prior to the date of application;
  - 11) A certification from the jurisdiction of original licensure and current licensure ~~all other jurisdictions in which the applicant is or has ever been licensed~~ stating:
    - A) The date of issuance of the license;
    - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
    - C) Name and location of the college, university, or other institution from which the applicant received medical education, type of degree and date degree was conferred; and
    - D) Whether the records of the licensing authority contain any record of ~~any~~ disciplinary action taken or pending.
- c) Examination prior to Completion of Clinical Training
    - 1) A candidate may apply for the examination and take the examination



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given prior to completion of the clinical training required by the Act, provided the ~~such~~ applicant:

- A) is registered in an approved program of clinical training and on whose behalf a temporary license by the Department has been issued pursuant to the provisions of Section 17 of the Act;
  - B) satisfies all of the requirements to take the examination for licensure to practice medicine in all of its branches, except completion of an approved program of clinical training; and
  - C) furnishes a statement from hospital authorities certifying that ~~such~~ the applicant who is applying to sit for FLEX Component I or FLEX Component II examinations has completed at least four (4) calendar months ~~of such approved program~~ of clinical training in the approved program, and performance in such training is satisfactory to date; ~~or~~
  - D) furnishes a statement from hospital authorities certifying that the applicant who is applying to sit for the USMLE Step III has completed at least twelve (12) calendar months of the approved program of clinical training, and performance in the training is satisfactory to date.
- 2) The results of the examination shall be made available to the applicant but no license shall be issued until the Department receives proof of the applicant's satisfactory completion of the required approved clinical training program.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1993)

## Section 1285.60 Examinations

- a) Examinations for licensure to practice medicine in all of its branches:
  - 1) Examinations conducted by the Department or its designated testing service for licensure to practice medicine in all of its branches shall be conducted in the English language and shall, prior to December 31, 1993, consist of:
    - A) The Federation Licensing Examination-FLEX Component 1 - an examination placing emphasis on basic and clinical science principles and mechanisms underlying high-impact diseases and problems encountered in an in-patient, supervised setting, during the delivery of health care; and

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- B) The Federation Licensing Examination-FLEX Component 2 emphasis on issues related to the general delivery of health care to patients in an ambulatory setting encountered in an independent practice.
- 2) ~~To be successful examinees must receive a score of at least 75 in each Component of the examination.~~
- 2) For those applicants who have passed FLEX Component 2 but have not successfully completed FLEX Component 1 prior to 1994, the Department shall administer FLEX Component 1 twice in 1994. Any applicant who does not successfully complete FLEX Component 1 during 1994 shall be required to successfully complete USMLE Step 1 and Step 2 in accordance with this Section.
- 3) Beginning January 1, 1994, the examinations for licensure to practice medicine in all of its branches shall be Steps 1, 2 and 3 of the United States Medical Licensing Examination (USMLE)--a joint program of the Federation of State Medical Boards of the U. S. Inc. and the National Board of Medical Examiners.
- A) USMLE Step 1 and Step 2 will be administered by the National Board of Medical Examiners and the Education Commission for Foreign Medical Graduates (ECFMG).
  - B) USMLE Step 3 will be administered by the Department or its designated testing service. Examinees shall successfully complete Step 1 and Step 2 before applying to the Department to take Step 3 of the examination.
- 4) The Department will accept the following combinations of examinations completed prior to January 1, 2000:
- A) FLEX Component 1 taken prior to January 1, 1995, and FLEX Component 2 taken prior to January 1, 1994;
  - B) FLEX Component 1 plus USMLE Step 3;
  - C) National Board of Medical Examiners (NBME) Part 1 or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus FLEX Component 2; or
  - D) NBME Part I or USMLE Step 1 plus NBME Part II or USMLE Step 2 plus NBME Part III or USMLE Step 3.
- 5) The passing score on all Components, Parts or Steps of the examinations set forth in subsection (a)(2), (3) and (4) above shall be 75.



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~~6)2)~~ In the case of failure on the examination, examinees shall be required to retake only that Component, Part or Step of the examination on which they did not achieve a score of at least 75. ~~provided both Components are successfully completed within three (3) years from the date of the filing of their application. In the event both Components are not successfully completed within three (3) years, credit for any Component passed shall be forfeited.~~

7) In the event all USMLE Steps are not successfully completed within seven (7) years of passing the first step taken, either Step 1 or Step 2, credit for any Step passed shall be forfeited.

8) Any applicant for licensure to practice medicine in all of its branches who has been unsuccessful in 5 examinations (any Component, Part or Step of the examinations accepted by the Department as set forth in subsection (a)(4) above), conducted in this sState or any other jurisdiction shall be deemed ineligible for further examination until such time as the Department is in receipt of proof that such the applicant has completed, subsequent to his/her fifth failure:

- A) a course of clinical training of not less than 12 months in an accredited clinical training program in the United States or Canada in accordance with Section 1285.40; or
- B) a course of study of nine (9) months in length (one academic year) which includes no less than 25 clock hours per week of basic sciences as set forth in Section 1285.20(b) of this Part and no less than 40 clock hours per week of clinical sciences as set forth in Section 1285.20(d) of this Part; or
- C) any other formal professional study or training in an accredited medical college or hospital, deemed by the Department to meet the requirements of subsection (A) or (B) above.

9) ~~5)~~ Failure to appear for any eComponent, Part or Step of the examination for which the applicant has been scheduled shall be considered a failure of the examination.

b) Examinations for licensure to practice chiropractic.

- 1) Examinations for licensure to practice chiropractic shall be conducted in the English language and shall consist of the examination administered by the National Board of Chiropractic Examiners and shall consist of Part I, Part II, and Part III.

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2) To be successful, examinees must receive a score of at least 75 on all three parts of the examination.

3) Any applicant for licensure as a chiropractic physician who has been unsuccessful in 5 examinations conducted in this sState or any other jurisdiction shall be deemed ineligible for further examination until such time as the Department is in receipt of proof (i. e., certificate of completion of training, transcript) that such the applicant has completed, subsequent to his/her fifth failure, a course of study of 960 classroom hours (one academic year) in an accredited chiropractic program.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1993)

## Section 1285.70 Application for a License on the Basis of Examination

a) Each applicant for a license to practice medicine in all of its branches on the basis of examination must submit to the Department:

- 1) A fully completed application, ~~which is~~ signed by the applicant, on which all questions have been answered, and all programs of medical education attended by the applicant have been identified, including dates of attendance;
- 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act.
- 3) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;
- 4) A complete work history since graduation from medical school;
- 5) Fee as required by Section 21 of the Act;
- 6) An official transcript and diploma or an official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum medical education requirements of the Act;

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- 7) Certification, on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of successful completion of the examination set forth in Section 1285.20 (k) for those applicants who are applying under Section 11(A)(2)(l) of the Act;
- 8) Proof of satisfactory completion of an approved program of clinical training in accordance with Section 1285.40;
- 9) Proof on forms provided by the Department of the successful completion of the examination set forth in Section 1285.60;
- 10) A certification from the jurisdiction of original licensure and current licensure ~~all other jurisdictions in which the applicant is or has ever been licensed stating:~~
  - A) The date of issuance of the license;
  - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
  - C) Name and location of the college, university or other institution from which the applicant received medical education, type of degree and date degree was conferred;
  - D) Whether the records of the licensing authority contain any record of ~~any~~ disciplinary action taken or pending;
- 11) Documentation of clinical skills, as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act, for applicants who graduated from medical school more than 5 years prior to application;
- 12) Proof of waiver.
  - A) The provisions of subsection (9) above shall be waived for a candidate for licensure to practice medicine in all of its branches who makes application satisfactory to the Department under Section 9 of the Act who submits proof of the successful completion of:
    - i) the National Board of Medical Examiners examination subsequent to January 1, 1964; or
    - ii) the National Board of Examiners for Osteopathic Physicians and Surgeons examination subsequent to June 1, 1973; or

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- iii) the Federation Licensing Examination ("FLEX") in another state obtaining a FLEX weighted average of 75 or more subsequent to June 1, 1968; or
- iv) the Licentiate of the Medical Council of Canada examination ("LMCC") subsequent to May 1, 1970; or
- v) The Federation Licensing Examination ("FLEX") in another state obtaining a score of 75 or more in each Component- in accordance with Section 1285.60 of this Part; or
- vi) The USMLE Steps 1, 2 and 3 taken in another state obtaining a score of 75 or more on each Step in accordance with Section 1285.60 of this Part; or
- vii) Any combinations of the FLEX, NBME or USMLE examinations as set forth in and in accordance with Section 1285.60(a)(4) of this Part on which a score of 75 or more has been obtained.
- B) Verification of the successful completion of the above described examinations shall show the scores achieved by the applicant on the examination with certificate number(s) and where and when the applicant took the examination.
  - b) Each applicant for a license to practice as a chiropractic physician must submit to the Department:
    - 1) A fully completed application, ~~which is~~ signed by the applicant, on which all questions have been answered, and all programs of chiropractic education attended by the applicant have been identified, including dates of attendance;
    - 2) An official transcript of a course of instruction, prerequisite to professional training in a college, university or other institution from which the applicant received chiropractic education;
    - 3) An official transcript and copy of diploma or official transcript and certification of graduation from the education program granting the professional degree; ~~such~~ the transcript shall indicate that the applicant has met the minimum chiropractic education requirements of Section 11 of the Act;



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- 4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
- 5) A complete work history since graduation from chiropractic school;
- 6) Fee as required by Section 21 of the Act;
- 7) Proof of the successful completion of Part I, Part II and Part III of the examination pursuant to Section 1285.60(b) forwarded directly to the Department from the National Board of Chiropractic Examiners; and
- 8) Certification from the jurisdiction of original licensure and current licensure ~~all other jurisdictions in which the applicant is or has ever been licensed~~ stating:
  - A) The date of issuance of the license;
  - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
  - C) Name and location of the college, university, or other institution from which the applicant received chiropractic education, type of degree and date degree was conferred;
  - D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1993)

## Section 1285.80 Licensure by Endorsement

- a) Each applicant currently licensed in another jurisdiction who applies to the Department for a license to practice medicine in all of its branches on the basis of endorsement must cause to be submitted to the Department:
  - 1) A ~~fully completed~~ signed application ~~which is signed~~, on which all questions have been answered and all programs of medical education attended by the applicant have been identified, including dates of attendance;

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- 2) Proof that the applicant is of good moral character. Proof shall be an indication on the application that the applicant has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
- 3) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;
- 4) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum medical education requirements of the Act;
- 5) Certification on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part and proof of passage of the examination set forth in Section 1285.20(k) for those applicants who are applying under Section 11(A)(2)(d)(i) of the Act;
- 6) An original, notarized English translation for any document submitted to the Department in a foreign language;
- 7) Proof of postgraduate clinical training in the United States or Canada;
- 8) Certification from the jurisdiction of original and current licensure ~~all other jurisdictions in which the applicant is or has ever been licensed~~ stating:
  - A) The date of issuance of the license;
  - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
  - C) Name and location of the college, university, or other institution from which the applicant received the medical education, type of degree and date degree was conferred; and
  - D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;
- 9) A complete work history since graduation from medical school;



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10) The fee required by Section 21 of the Act.

b) In addition to submitting the application required in subsection (a) above, each applicant for licensure to practice medicine in all of its branches pursuant to the provisions of Section 19 upon the basis of having passed a National Board of Medical Examiners Examination prior to January 1, 1964, or having passed a National Board of Examiners for Osteopathic Physicians and Surgeons Examination before June 1, 1973, or having passed the Licensure of the Medical Council of Canada ("LMCC") before May 1, 1970, or having passed the Federation Licensing Examination (FLEX) prior to June 1, 1968, or a State Constructed Examination, shall, subject as hereinafter provided, pass an examination conducted by the Department or its designated testing service to test the clinical competence of such the applicant ("clinical test"). The Department upon recommendation of the Medical Licensing Board has determined that the examination conducted under this Section shall be Component 2- of the ~~Federation Licensing Examination-(FLEX)~~ prior to December 31, 1993, USMLE Step 3 after January 1, 1994 or the Special Purpose Examination (SPEX) as determined by the Board.

1) To be successful in Component 2 of the FLEX, ~~examination-USMLE Step 3 or the SPEX examination~~, applicants must receive a score of 75 or better. In the case of failure on three (3) attempts of the Component 2 examination, USMLE Step 3 or SPEX examination, or any combination thereof, the application for licensure on the basis of endorsement shall be denied. Such individuals may thereafter submit an application for licensure on the basis of examination and, if qualified, take the entire examination referenced in Section 1285.60(a)(1), (2) and (3) of this Part in accordance with the manner described therein.

2) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have been satisfied, make a recommendation to the Director of the Department of Professional Regulation ("Director") for the waiver of the clinical examination requirement herein provided with respect to any such applicant for a license to practice medicine in all of its branches after full consideration of the quality of his/her medical education and clinical training or practical experience, including, but not limited to, whether the applicant is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in medicine and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that ~~such the~~ applicant has outstanding and proven ability in any branch of medicine.

c) Each applicant currently licensed in another jurisdiction who applies to the Department for a license in Illinois as a chiropractic physician by endorsement must cause to be sent to the Department:

- 1) A ~~fully-completed~~ signed application ~~which is signed by the applicant~~, on which all questions have been answered; and all programs of chiropractic education attended by the applicant have been identified, including dates of attendance;
  - 2) An official transcript of ~~a--course~~ the courses of instruction prerequisite to professional training in a college, university or other institution;
  - 3) An official transcript and copy of diploma or official transcript and certification of graduation from the medical education program granting the degree; ~~such the~~ transcript shall indicate that the applicant has met the minimum chiropractic education requirements of the Act;
  - 4) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board as provided in Section 9(B)(4) of the Act;
  - 5) Successful completion of Part I, Part II and Part III of the examination administered by the National Board of Chiropractic Examiners .
- A) The Medical Licensing Board may, in its discretion and in individual cases where the applicable conditions of Section 19 of the Act have not been satisfied, make a recommendation to the Director to require an applicant to successfully complete the Special Purposes Exam (SPEX) or Part III of the examination administered by the National Board of Chiropractic Examiners; ~~or for the waiver of Part III of the examination requirement herein provided with respect to any such applicant for a license to practice chiropractic medicine.~~

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B) The Medical Licensing Board may recommend a waiver of Part III of the examination or the SPEX requirement. In making the recommendation, the Licensing Board shall consider the quality of the chiropractic education and practical experience, including, but not limited to, whether he/she is Board Certified in a specialty, has achieved special honors or awards, has had articles published in recognized and reputable journals, has written or participated in the writing of textbooks in chiropractic and any other circumstance or attribute which the Medical Licensing Board accepts as evidence that ~~such~~ the applicant has outstanding and proven ability in chiropractic.

6) Certification from the jurisdiction of original and current licensure ~~and all other jurisdiction in which the applicant is or has ever been licensed~~ stating:

- A) The date of issuance of the license;
- B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;
- C) Name and location of the college, university, or other institution from which the applicant received his/her chiropractic education, type of degree and date degree was conferred; and
- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;
- 7) A complete work history since graduation from chiropractic school; and
- 8) The fee required by Section 21 of the Act.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1998)

## Section 1285.90 Temporary Licenses

- a) To allow for timely processing, an application for a Temporary License to pursue specialty/residency training shall be filed, on forms provided by the Department, at least 60 days prior to the commencement date of the training.
- b) No application shall be considered complete unless it is signed by the applicant, all questions have been answered and it contains or is accompanied by:

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- 1) Proof that the applicant is of good moral character and has not engaged in any conduct or activities which would constitute grounds for discipline under Section 22 of the Act. Applications of individuals who answer affirmatively to any question on the Personal History portion of the application or who have engaged in activities which would constitute grounds for discipline shall be forwarded to the Enforcement Division of the Department for further investigation and action by the Medical Licensing Board.
- 2) An official transcript of a course of instruction in a college, university or other institution as required by Section 1285.20(a) of this Part;
- 3) An official transcript and diploma or official transcript and certification of graduation from the medical education program granting the degree which shall evidence that the applicant has met the minimum education requirements of the Act;
- 4) Certification on forms provided by the Department, that the core clerkship rotations were completed in accordance with Section 1285.20 of this Part for those applicants applying under Section 11(A)(2)(a)(i) of the Act;
- 5) Proof that the applicant will be accepted or appointed to a position in a specialty/residency program which is approved by the Department, pursuant to the provisions of Section 1285.40 and the number of postgraduate years for which he has been accepted or appointed;
- 6) A statement identifying all medical education programs attended, including dates of attendance;
- 7) An original notarized English translation for any document submitted to the Department in a foreign language;
- 8) A complete work history since graduation from medical school;
- 9) The fee required by Section 21 of the Act;
- 10) Certification from the jurisdiction of original licensure and current licensure ~~all other jurisdictions in which the applicant is or has ever been licensed~~ stating:
  - A) The date of issuance of the license;
  - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any;



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- C) Name and location of the college, university or other institution from which the applicant received medical education, type of degree and date degree was conferred; and
- D) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending;
- 11) Documentation of clinical skills as set forth in Section 1285.95 of this Part and Section 11(A)(2)(a)(i) of the Act for applicants who graduated from medical school more than 5 years prior to the date of application.
- c) Written notice of the Department's final action on every application for a temporary license shall be given to the applicant and hospital designated therein. If such application is approved pursuant to Section 17 of the Act and this Section, the temporary license shall be delivered or mailed to the hospital and shall be kept in the care and custody of such hospital. Any person not licensed to practice medicine in all of its branches in the State of Illinois who is enrolled in a clinical training program shall have had a Temporary License issued on his/her behalf to an approved program of training prior to the commencement of the training.
- d) Commencement of the specialty/residency training program prior to the issuance of a temporary license shall be construed as the unlicensed practice of medicine.
- e) A Temporary License shall be issued for a maximum of three years as provided in this Section. In no event shall a Temporary License be issued for less than one year except as provided in subsection (i) below or for any purpose other than a post-graduate specialty/residency program required for licensure under the Act.
- f) No more than one Temporary License shall be issued to any person for the same period of time.
- g) When a resident is dismissed or otherwise terminates the specialty/residency program, it shall be the responsibility of the staff of the program to notify the Department immediately, return the Temporary License to the Department and submit a written explanation to the Department indicating why the resident was dismissed or terminated. If the Temporary License has been lost or destroyed, the staff of the program shall submit a written explanation to the Department.

- h) A Temporary License may be transferred from one program to another only upon the return of the Temporary License and receipt by the Department of a new application which contains a work history and a certificate of acceptance that the resident will be accepted or appointed to a specialty/residency position in an approved program. Requests for transfers shall be filed with the Department at least 60 days prior to the commencement date of the new program.

- i) The Department shall allow a 14-day extension of the temporary license beyond the 3-year period without filing an extension application. In order to extend beyond the 14-day period, a new application shall be filed with the Department which contains:

- 1) a certificate of acceptance indicating that the resident has been accepted or appointed to a specialty/residency position in an approved program;
- 2) a work history; and
- 3) a letter from the residency program director advising why an extension is being requested.

- j) Temporary licenses may be extended only when the applicant:

- 1) is serving full-time in the Armed Forces;
- 2) has an incapacitating illness as documented by a currently licensed physician;
- 3) provides proof of continuance of a residency training program in order to meet the remedial requirements for licensure set forth in Section 1285.60(a)(4); or
- 4) provides proof of continuance of a residency training program.

- k) The Department shall issue Limited Temporary Licenses for no more than six (6) months on behalf of individuals who apply, on forms provided by the Department, and submit evidence that:

- 1) The applicant is enrolled in a postgraduate clinical training program which meets the requirements of Section 1285.40 outside of the State of Illinois;
- 2) The applicant has been accepted for a specific period of time to perform, under supervision, a portion of the clinical training at a clinical training program approved pursuant to the provisions of Section 1285.40 in the State of Illinois due to the absence of adequate facilities in another State;



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- 3) The approved clinical training program in Illinois has assumed supervisory responsibility for the individual during the period specified on his application; and
- 4) A Limited Temporary License may be extended only when the applicant:
  - A) is serving full-time in the Armed Forces;
  - B) has an incapacitating illness as documented by a currently licensed physician; or
  - C) provides proof of continuance of a residency training program as documented by the residency training program director.
- 1) Any individual who participates in any portion of a specialty/residency program without a Temporary license issued by the Department shall be considered to be involved in the unlicensed practice of medicine.

(Source: Amended at 17 Ill. Reg. 17191, effective September 27, 1993)

## Section 1285.91 Visiting Resident Permits

- a) An individual who has been invited or appointed to perform a portion of a post graduate clinical training program in an Illinois patient care clinic or facility pursuant to Section 18(C) of the Act shall file an application, on forms provided by the Department, at least 60 days prior to the commencement date of the training.
- b) No application shall be considered complete unless it is signed by the applicant, all questions have been answered and it contains or is accompanied by:
  - 1) Proof that the applicant has been invited or appointed to perform a portion of the post graduate clinical training program in Illinois;
  - 2) Name and address of the patient care clinic(s) or facility(ies) and the date the training is to begin and the length of time of the invitation or appointment;
  - 3) Name and license number of the Illinois physician(s) who will be responsible for supervising the applicant;
  - 4) Certification from the post graduate training program that the applicant is approved and enrolled in an out of state post graduate training program approved by the Department;

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## 5) Either:

- A) Proof that the applicant maintains an equivalent authorization to practice medicine in all of its branches or to practice the treatment of human ailments without the use of drugs and without operative surgery in the applicant's native jurisdiction; or
- B) Certification of licensure from the jurisdiction in which the applicant's clinical training program is located stating:
  - i) the date of issuance of the license;
  - ii) whether the records of the licensing authority contain any record of any disciplinary action taken or pending; and
- 6) A fee of \$100.
- c) A visiting resident permit will be issued for 180 days.
- d) No more than one visiting resident permit shall be issued to any person for the same period of time.
- e) Written notice of the Department's final action on every application for a visiting resident permit shall be given to the applicant and the patient care clinic(s) or facility(ies). If the application is approved pursuant to Section 18(C) of the Act and this Section, the visiting resident permit shall be delivered or mailed to the patient care clinic or facility.
- f) Commencement of the post graduate training program prior to the issuance of the visiting resident permit shall be construed as unlicensed practice.
- g) When a visiting resident is dismissed or otherwise terminates the specialty/residency program, it shall be the responsibility of the staff of the patient care clinic or facility to notify the Department immediately, return the Visiting Resident Permit to the Department and submit a written explanation to the Department indicating why the visiting resident was dismissed or terminated. If the visiting resident permit has been lost or destroyed, the staff of the program shall submit a written explanation to the Department.

(Source: Added at 17 Ill. Reg. 17191, effective September 27, 1993)

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## Section 1285.100 Visiting Professor Permits

- a) Any person not licensed in this State to practice medicine in all of its branches or as a chiropractic physician who has been appointed as a visiting professor at a program of medicine in this State must be the holder of a Visiting Professor Permit issued by the Department pursuant to the provisions of Section 18 of the Act.
- b) An application for a Visiting Professor Permit shall be made on forms provided by the Department. ~~Such~~ The application shall include:
  - 1) The name and location of the applicant's program of medicine, dates of attendance, date and type of degree conferred;
  - 2) Certification from the jurisdiction of original licensure indicating:
    - A) The date of licensure;
    - B) The method of licensure;
    - C) The current status of the license;
  - 3) Verification, signed by a dean of a program of medicine located in another jurisdiction, that the applicant was qualified and held professor status in the program;
  - 4) Certification from the Dean of the program of medicine indicating:
    - A) That the ~~person~~ entity has contracted with the applicant and the applicant ~~he~~ has received a faculty appointment to teach in the program;
    - B) The nature of the educational services to be provided by the applicant;
    - C) The term of the contract;
- 45) A copy of the applicant's current curriculum vitae; and,
- 56) The fee of \$300.
- c) In determining the need for the issuance of a Visiting Professor Permit, the Department, upon the recommendation of the Medical Licensing Board, shall consider:
  - 4) The availability to the program of medicine of the services for which the Visiting Professor Permit is sought;

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- 2) ~~Whether the applicant could qualify for licensure pursuant to Sections 11, 13, 14, 15 and 19 of the Medical Practice Act of 1987 and Sections 1285.20, 1285.50, 1285.60 and 1285.90 of this Part.~~
- d) Written notice of the Department's final action on every application for a Visiting Professor Permit shall be given to the applicant and the program of medicine designated therein ~~within 60 days of the completion of the application~~. When ~~such~~ the application is approved the Visiting Professor Permit shall be delivered or mailed to the program of medicine. The applicant shall not commence ~~such~~ the faculty appointment before the program receives written notification of the approval of the application.
- e) A Visiting Professor Permit shall be valid for one (1) year and may be renewed only once for one year.
- f) Application for renewal of a Visiting Professor Permit shall be made on forms supplied by the Department at least sixty (60) days prior to expiration of the permit. ~~Such~~ The application shall include:
  - 1) Certification from the Dean of the program of medicine indicating the term of the renewal contract, not to exceed one year from the date of the original expiration date;
  - 2) Certification from the jurisdiction of original licensure indicating the current status of the license; and
  - 3) The fee of \$300.
- g) When any person on whose behalf a Visiting Professor Permit has been issued shall be discharged or shall terminate his/her faculty appointment, any certificate issued in the name of such person shall be null and void as of the date of ~~such~~ discharge or termination. ~~Such~~ The program of medicine shall immediately deliver or mail by registered mail to the Department the Visiting Professor Permit and written notice of the reason for the return of the permit.
- h) Only one Visiting Professor Permit and one renewal shall be issued to an applicant. If, at the conclusion of the term of the faculty appointment for which the permit was issued, the holder of ~~such~~ the permit desires to remain in the State and practice or teach his/her profession, he/she must apply for and receive a license to practice that profession.



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- i) Whenever a program of medicine is required to deliver or return a Visiting Professor Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.
- j) Nothing herein shall prohibit the holder of a Visiting Professor Permit from applying for and receiving a license to practice his/her profession in this State during the term of his/her faculty appointment. In the event the holder of such a permit is issued a license to practice his/her profession in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (f) above.

(Source: Amended at 17 Ill. Reg. 1719, effective September 27, 1993.)

## Section 1285.101 Visiting Physician Permits

- a) Any person not licensed in this State to practice medicine in all of its branches or as a chiropractic physician who has received an invitation or appointment to study a specific medical, osteopathic, chiropractic or clinical subject or technique in a medical, osteopathic, chiropractic school or hospital in this State must be the holder of a Visiting Physician Permit issued by the Department pursuant to the provisions of Section 18(B) of the Act.

- b) An application for a Visiting Physician Permit shall be made on forms provided by the Department. The application shall include:

- 1) Certification from the jurisdiction of current licensure indicating the date of licensure and current status of the license;
- 2) Certification from the dean or program director of the school or hospital indicating:
  - A) That the person has received an invitation or appointment to study a specific clinical subject or technique;
  - B) The nature of the educational services to be provided to the applicant;
  - C) The term of the contract;
- 3) A copy of the applicant's current curriculum vitae; and

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- 4) The fee of \$100.

c) In determining the need for the issuance of a Visiting Physician Permit, the Department, upon the recommendation of the Medical Licensing Board, shall consider the availability to the program of medicine of the services for which the Visiting Physician Permit is sought.

d) Written notice of the Department's final action on every application for a Visiting Physician Permit shall be given to the applicant and/or the school or hospital designated. When the application is approved, the Visiting Physician Permit shall be delivered or mailed to the program of medicine. The applicant shall not commence the appointment before the program receives written notification from the Department of the approval of the application.

e) A Visiting Physician Permit shall be valid for 120 days or until such time as the clinical studies or techniques are completed, whichever occurs first.

f) When the holder of a Visiting Physician Permit has been discharged or terminated from an appointment, any certificate issued in the name of the person shall be null and void as of the date of the discharge or termination. The school or hospital shall immediately deliver or mail by registered mail to the Department the Visiting Physician Permit and written notice of the reason for the return of the permit.

g) Only one Visiting Physician Permit shall be issued to an applicant. If, at the conclusion of the term of the appointment for which the permit was issued, the holder of the permit desires to remain in the State and practice or teach his/her profession, he/she must apply for and receive a license to practice medicine in all of its branches or as a chiropractic physician.

h) Whenever a program of medicine is required to deliver or return a Visiting Physician Permit to the Department and that permit has been lost or destroyed or is for any other reason unavailable for return to the Department, the program of medicine shall immediately mail or deliver to the Department a written explanation concerning the inability to return the permit.

i) Nothing shall prohibit the holder of a Visiting Physician Permit from applying for and receiving a license to practice his/her profession in this State during the term of the appointment. In the event the holder of a permit is issued a license to practice in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Department pursuant to the provisions of subsection (f) above.



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i) A Limited Visiting Physician Permit will be issued by the Department to an out of state physician who has been requested to perform an emergency procedure in Illinois.

1) An individual seeking a Limited Visiting Physician Permit shall apply to the Department, on forms provided by the Department, and submit the following:

A) Verification of licensure in another jurisdiction;

B) A description of the emergency procedure to be performed;

C) The exact date and location of the procedure;

D) The name and license number of the sponsoring physician who will be responsible for the applicant;

E) Proof from the hospital that the applicant has approval from the facility to perform the procedure signed by the administrator of the hospital;

F) A copy of an up to date curriculum vitae; and

G) A fee of \$25.

2) The permit will be issued for no more than 5 days. However, in extenuating circumstances, upon review by the Chairman of the Licensing Board or his/her designee, the permit may be extended.

3) The Department shall notify the Medical Licensing Board of the issuance of all Limited Visiting Physician Permits.

(Source: Added at 17 Ill. Reg. 17191, effective September 27, 1993 )

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1) Heading of the Part: Nursing Home Administrators Licensing and Disciplinary Act

2) Code Citation: 68 Ill. Adm. Code 1310

3) Section Numbers: Adopted Action:

1310.30 Amendment  
1310.60 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, pars. 3655 and 3657 [225 ILCS 70/5 and 7].

5) Effective Date of Amendments: September 27, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: September 24, 1993

9) Date Notice of Proposal Published in Illinois Register: June 4, 1993, at 17 Ill. Reg. 8139

10) Has ICAR issued a Statement of Objections to these amendments? No

11) Difference(s) between proposal and final version:

In Section 1310.30(a)(2)(B), "or" was deleted at the end of the last line.

In Section 1310.30(a)(2)(C), "nurse program" was changed to "nursing program".

In Section 1310.60(d), the reference to "subsection (d)" was changed to "subsection (c)."

In Section 1310.60(e), the "R" in "Recognized" was changed to lower case "r".

12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes, but no agreement letter was necessary because there were no substantive changes.

13) Will these Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? No

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- 15) Summary and Purpose of Amendments: The National Association of Board of Examiners for Nursing Home Administrators (NAB) changed the grading system on the national exam portion of the Illinois Nursing Home Administrators licensing examination. This necessitated a change in the passing score, set by rule, to keep Illinois in line with the current recommended NAB passing score.

- 16) Information and questions regarding this amended Part shall be directed to:

Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800

The full text of the Adopted Amendments begins on the next page:

## ILLINOIS REGISTER

## DEPARTMENT OF PROFESSIONAL REGULATION

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TITLE 68: PROFESSIONS AND OCCUPATIONS  
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1310  
 NURSING HOME ADMINISTRATORS  
 LICENSING AND DISCIPLINARY ACT

Section	
1310.10	Statutory Authority (Repealed)
1310.20	Temporary License
1310.30	Application for Examination
1310.40	Approved Nursing Home Administration Courses
1310.50	Qualifying Experience
1310.60	Examination
1310.70	Endorsement
1310.75	Renewals
1310.80	Restoration
1310.85	Continuing Education
1310.90	Granting Variances

**AUTHORITY:** Implementing the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1991, ch. 111, pars. 3651 through 3687) [225 ILCS 70] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

**SOURCE:** Adopted at 5 Ill. Reg. 1500; effective February 1, 1981; codified at 5 Ill. Reg. 11045; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 9 Ill. Reg. 5364, effective April 8, 1985; amended at 10 Ill. Reg. 16715, effective September 22, 1986; transferred from Chapter I, 68 Ill. Adm. Code 310 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1310 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2955; amended at 13 Ill. Reg. 15653, effective September 25, 1989; amended at 16 Ill. Reg. 12565, effective July 27, 1992; amended at 17 Ill. Reg. 17220 effective September 27, 1993.

Section 1310.30 Application for Examination

- a) An applicant for a license as a nursing home administrator shall file an application on forms supplied by the Department, at least 60 days prior to an examination date, together with:
- 1) Certification of graduation from high school or a GED;
  - 2) Certified records of education and experience of any one of the following:

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- A) Graduation from an accredited college or university with the minimum of a Baccalaureate Degree;
- B) Satisfactory completion of an approved course of instruction in nursing home administration as outlined in Section 1310.40; ~~or~~
- C) Graduation from a three year diploma ~~nurse~~ nursing program and an Employer's Affidavit certifying two years of qualifying experience as described in Section 1310.50; or
- D) An associate degree or a minimum of 60 semester or 90 quarter hours of credit earned from an accredited college or university and an Employer's Affidavit certifying the applicant's qualifying experience as described in Section 1310.50;
- 3) Certification, for those applying pursuant to Section 3(3) of the Act, that the applicant is certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing, as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teaching. Such applicant upon successful completion of the examination set forth in Section 1310.60(f) of this Part, will be issued a Limited Nursing Home Administrator License which will allow the individual to be an administrator in an institution of the certifying church or denomination;
- 4) A statement of sound physical and mental health, dated within one year preceding application, signed by a currently licensed physician, (nothing in this subsection shall require a physical or mental examination for any applicant who is a member of a recognized church or religious denomination which teaches reliance on spiritual means alone for healing) (Section 3(3) of the Act);
- 5) A complete work history since completion of education set forth in subsection (a) above; and
- 6) The required fee set forth in Section 14 of the Act.

- b) An applicant for a license by examination who has taken the National Association of Board of Examiners for Nursing Home Administrators examination in another jurisdiction shall have the examination scores submitted to the Department by the reporting entity. The passing score shall be 75 prior to July 1993. Beginning in July 1993, the passing score shall be a scale score of 113 in accordance with Section 1310.60 of this Part.

(Source: Amended at 17 Ill. Reg. 17220, effective September 27, 1993)

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## Section 1310.60 Examination

- a) The first portion of the examination for licensure as a nursing home administrator shall be the national examination of the National Association of Boards of Examiners for Nursing Home Administrators. The passing score shall be 75 prior to July 1993. Beginning in July 1993, the passing score shall be a scale score of 113.
- b) The second portion of the examination shall be the Illinois Supplemental examination which will cover the Nursing Home Care Act and the rules promulgated by the Illinois Department of Public Health for the administration of this Act (77 Ill. Adm. Code 300, 350 and 390) and the Nursing Home Administrators Licensing and Disciplinary Act and the rules set forth in this Part for the administration of the Act. The passing score on this portion of the examination shall be 75.
- e) ~~The passing score on each portion of the examination shall be 75.~~
- ~~d)~~ c) An applicant who fails either portion of the examination shall be required to retake only that portion in which a passing score of ~~at least 75~~ was not achieved. The applicant shall have 3 years from the date of application to pass both portions of the examination.
- e) d) If an applicant fails to pass either portion of the examination for licensure within three years after filing the application, the application shall be denied. However, each applicant may make a new application for examination, accompanied by the required fee and meet the education and experience requirements for licensure at the time of application. Such applicant will be required to take both portions of the examination on the first examination attempt. If an applicant fails either portion, he/she shall be required to retake the examination in accordance with subsection ~~(d)~~ (c) above.
- f) e) For those individuals who are applying as members of a recognized church or religious denomination, which teaches reliance on spiritual means alone for healing (Section 3(3) of the Act), an examination will be administered which will not require the individual to demonstrate proficiency in any medical techniques.
- g) f) An applicant for a license by examination, who has taken the National Association of Boards of Examiners for Nursing Home Administrators examination in another jurisdiction, shall have the examination scores submitted to the Department by the reporting entity. The passing score shall be 75 prior to July 1993. Beginning in July 1993, the passing score shall be a scale score of 113 as set forth in subsection (e) (a) above.

(Source: Amended at 17 Ill. Reg. 17220, effective September 27, 1993)



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Hospital Licensing Requirements

2) Code Citation:

77 Ill. Adm. Code 250

3) Section Numbers:

250.1510

Adopted Action:

Amendments

4) Statutory Authority:

Hospital Licensing Act

Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 142 et seq.  
[210 ILCS 85]5) Effective Date of Rules:

October 1, 1993

6) Does this Rulemaking Contain an Automatic Repeal Date?

Yes

No X

If "yes," please specify date: \_\_\_\_\_

7) Does this Rulemaking Contain Any Incorporations By Reference?

Yes

No X

8) Date Filed in Agency's Principal Office:

October 1, 1993

9) Date Notice(s) of Proposal was Published in Illinois Register:

December 28, 1992 - 16 Ill. Reg. 20032

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules?

Yes

No X

If "yes," please complete the following:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

A) Statement of Objection: \_\_\_\_\_ Ill. Reg. \_\_\_\_\_B) Agency Response: \_\_\_\_\_ Ill. Reg. \_\_\_\_\_C) Date Agency Response Submitted for Approval to the Joint Committee: \_\_\_\_\_11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

## 1. Section 250.1510(c)(1) was amended to add a second sentence that reads:

"Authentication," for purposes of this Section, means identification of the author of a medical record entry by that author, and confirmation that the contents are what the author intended.

## 2. The first sentence of Section 250.1510(c)(1) was amended to state: "All entries into the medical record shall be authenticated by the individual who made or authored the entry."

## 3. A new Section 250.1510(c)(2) was added as follows:

Medical record entries shall include all notes, orders or observations made by direct patient care providers and any other individuals required to make such entries in the medical record and written interpretive reports of diagnostic tests or specific treatments including, but not limited to, radiologic or electrocardiographic reports, operative reports, reports of pathologic examination of tissue and other similar reports.

The remainder of the subsections were renumbered to reflect this addition.

## 4. In Section 250.1510(c)(5)(A) [renumbered from (c)(4)(A)], the word "access" was added after "confidential" in line 2.

## 5. In the second sentence of Section 250.1510(c)(5)(B) [renumbered from (c)(4)(B)] the phrase "an assigned identifier" was changed to "that particular identifier."

## 6. In Section 250.1510(c)(5)(C) [renumbered from (c)(4)(C)], the Department added the word "user" before "access."

## 7. The first sentence of Section 250.1510(c)(6) [renumbered from (c)(5)] was rewritten as follows: "A system employing the use of electronic signatures or computer generated

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

signature codes for authentication shall include a verification process to ensure that the content of authenticated entries is accurate."

8. Section 250.1510(c)(6)(A) [renumbered from (c)(5)(A)] was rewritten as follows:

The system shall require completion of certain designated fields for each type of document before the document may be authenticated, with no blanks, gaps or obvious contradictory statements appearing within those designated fields. The system shall also require that correction or supplementation of previously authenticated entries shall be made by additional entries, separately authenticated and made subsequent in time to the original entry.

9. The Table of Contents, Authority Note, and Source Note have been updated to reflect amendments adopted on January 25, 1993.

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

No changes were requested.

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

No changes were requested.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes \_\_\_\_\_ No X

- 14) Are there any other Amendments Pending on this Part?

Yes \_\_\_\_\_ No X

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
_____	_____	_____

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENT(S)

TITLE 77: PUBLIC HEALTH  
 CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH  
 SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250  
 HOSPITAL LICENSING REQUIREMENTS

## SUBPART A: GENERAL

Section	
250.110	Application for and Issuance of an Initial Permit to Establish a Hospital
250.120	Application for and Issuance of a License to Operate a Hospital
250.130	Administration by the Department
250.140	Hearings
250.150	Definitions
250.160	Incorporated and Referenced Materials

## SUBPART B: ADMINISTRATION AND PLANNING

Section	
250.210	The Governing Board
250.220	Accounting
250.230	Planning
250.240	Admission and Discharge
250.250	Visiting Rules
250.260	Patients' Rights
250.270	Manuals of Procedure

## SUBPART C: THE MEDICAL STAFF

Section	
250.310	Organization
250.315	Supervision of House Staff Members
250.320	Admission and Supervision of Patients
250.330	Orders for Medications and Treatments
250.340	Availability for Emergencies

## SUBPART D: PERSONNEL SERVICE

Section	
250.410	Organization
250.420	Personnel Records
250.430	Duty Assignments
250.440	Education Programs
250.450	Personnel Health Requirements
250.460	Benefits

## SUBPART E: LABORATORY

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## NOTICE OF ADOPTED AMENDMENT(S)

Section	
250.510	Laboratory Services
250.520	Blood and Blood Components
250.525	Designated Blood Donor Program
250.530	Proficiency Survey Program
250.540	Laboratory Personnel
250.550	Western Blot Assay Testing Procedures

## SUBPART F: RADIOLOGICAL SERVICES

Section	
250.610	General Diagnostic Procedures and Treatments
250.620	Radioactive Isotopes
250.630	General Policies and Procedures Manual

## SUBPART G: GENERAL HOSPITAL EMERGENCY SERVICE

Section	
250.710	Classification of Emergency Services
250.720	General Requirements
250.725	Notification of Emergency Personnel
250.730	Community or Areawide Planning
250.740	Disaster and Mass Casualty Program
250.750	Emergency Services for Sexual Assault Victims

## SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

Section	
250.810	Applicability of Other Parts of These Requirements
250.820	General
250.830	Classifications of Restorative and Rehabilitation Services
250.840	General Requirements for all Classifications
250.850	Specific Requirements for Comprehensive Physical Rehabilitation Services
250.860	Medical Direction
250.870	Nursing Care
250.880	Additional Allied Health Services

## SUBPART I: NURSING SERVICE AND ADMINISTRATION

Section	
250.910	Nursing Services
250.920	Organizational Plan
250.930	Role in hospital planning
250.940	Job descriptions
250.950	Nursing committees
250.960	Specialized nursing services
250.970	Nursing Care Plans
250.980	Nursing Records and Reports



## DEPARTMENT OF PUBLIC HEALTH

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## NOTICE OF ADOPTED AMENDMENT(S)

250.990	Unusual Incidents
250.1000	Meetings
250.1010	Education Programs
250.1020	Licensure
250.1030	Policies and Procedures
250.1040	Patient Care Units
250.1050	Equipment for Bedside Care
250.1060	Drug Services on Patient Unit
250.1070	Care of Patients
250.1080	Admission Procedures Affecting Care
250.1090	Sterilization and Processing of Supplies
250.1100	Infection Control

## SUBPART J: SURGICAL AND RECOVERY ROOM SERVICES

Section	
250.1210	Surgery
250.1220	Surgery Staff
250.1230	Policies & Procedures
250.1240	Surgical Privileges
250.1250	Surgical Emergency Care
250.1260	Operating Room Register
250.1270	Surgical Patients
250.1280	Equipment
250.1290	Safety
250.1300	Operating Room
250.1305	Visitors in Operating Room
250.1310	Cleaning of Operating Room
250.1320	Regulations for Postoperative Recovery Facilities

## SUBPART K: ANESTHESIA SERVICES

Section	
250.1410	Anesthesia Service

## SUBPART L: RECORDS AND REPORTS

Section	
250.1510	Medical Records
250.1520	Reports

## SUBPART M: FOOD SERVICE

Section	
250.1610	Dietary Department Administration
250.1620	Facilities
250.1630	Menus and Nutritional Adequacy
250.1640	Diet Orders
250.1650	Frequency of Meals

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## NOTICE OF ADOPTED AMENDMENT(S)

250.1660	Therapeutic (Modified) Diets
250.1670	Food Preparation and Service
250.1680	Sanitation

## SUBPART N: HOUSEKEEPING AND LAUNDRY SERVICES

Section	
250.1710	Housekeeping
250.1720	Garbage, Refuse and Solid Waste Handling and Disposal
250.1730	Insect and Rodent Control
250.1740	Laundry Service
250.1750	Soiled Linen
250.1760	Clean Linen

## SUBPART O: MATERNITY AND NEONATAL SERVICE

Section	
250.1810	Applicability of other Parts of these regulations
250.1820	Maternity and Neonatal Service Regulations (Perinatal Service)
250.1830	General Requirements for all Maternity Departments
250.1840	Discharge of Newborn Infants from Hospital
250.1850	Rooming-In Care of Mother and Infant
250.1860	Special Programs
250.1870	Single Room Maternity Care

## SUBPART P: ENGINEERING AND MAINTENANCE OF THE PHYSICAL PLANT, SITE, EQUIPMENT, AND SYSTEMS--HEATING, COOLING, ELECTRICAL, VENTILATION, PLUMBING, WATER, SEWER, AND SOLID WASTE DISPOSAL

Section	
250.1910	Maintenance
250.1920	Emergency electric service
250.1930	Water Supply
250.1940	Ventilation, Heating, Air Conditioning, and Air Changing Systems
250.1950	Grounds and Buildings Shall be Maintained
250.1960	Sewage, Garbage, Solid Waste Handling and Disposal
250.1970	Plumbing
250.1980	Fire and Safety

## SUBPART Q: CHRONIC DISEASE HOSPITALS

Section	
250.2010	Definition
250.2020	Requirements

## SUBPART R: PHARMACY OR DRUG AND MEDICINE SERVICE

Section	
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250.2110 Service Requirements  
250.2120 Personnel Required  
250.2130 Facilities for Services  
250.2140 Pharmacy and Therapeutics Committee

SUBPART S: PSYCHIATRIC SERVICES

Section  
250.2210 Applicability of other Parts of these Regulations  
250.2220 Establishment of a Psychiatric Service  
250.2230 The Medical Staff  
250.2240 Nursing Service  
250.2250 Allied Health Personnel  
250.2260 Staff and Personnel Development and Training  
250.2270 Admission, Transfer and Discharge Procedures  
250.2280 Care of Patients  
250.2290 Special Medical Record Requirements for Psychiatric Hospitals and Psychiatric Units of General Hospitals or General Hospitals Providing Psychiatric Care  
250.2300 Diagnostic, Treatment and Physical Facilities and Services

SUBPART T: DESIGN AND CONSTRUCTION STANDARDS

Section  
250.2410 Applicability of these Standards  
250.2420 Submission of Plans for New Construction, Alterations or Additions to Existing Facility  
250.2430 Preparation of Drawings and Specifications -- Submission Requirements  
250.2440 General Hospital Standards  
250.2450 Details  
250.2460 Finishes  
250.2470 Structural  
250.2480 Mechanical  
250.2490 Plumbing and Other Piping Systems  
250.2500 Electrical Requirements

SUBPART U: CONSTRUCTION STANDARDS FOR EXISTING HOSPITALS

Section  
250.2610 Applicability of these Standards  
250.2620 Codes and Standards  
250.2630 Existing General Hospital Standards  
250.2640 Details  
250.2650 Finishes  
250.2660 Mechanical  
250.2670 Plumbing and Other Piping Systems  
250.2680 Electrical Requirements

SUBPART V: SPECIAL CARE AND SPECIAL SERVICE UNITS

Section  
250.2710 Special Care and/or Special Service Units  
250.2720 Day Care for Mildly Ill Children

SUBPART W: ALCOHOLISM AND INTOXICATION TREATMENT SERVICES

Section  
250.2810 Applicability of Other Parts of These Requirements  
250.2820 Establishment of an Alcoholism and Intoxication Treatment Service  
250.2830 Classification and Definitions of Service and Programs  
250.2840 General Requirements for all Hospital Alcoholism Program Classifications  
250.2850 The Medical and Professional Staff  
250.2860 Medical Records  
250.2870 Referral  
250.2880 Client Legal and Human Rights

ILLUSTRATION A Seismic Zone Map

APPENDIX A Codes and Standards (Repealed)

EXHIBIT A Codes (Repealed)

EXHIBIT B Standards (Repealed)

EXHIBIT C Addresses of Sources (Repealed)

TABLE A Measurements Essential for Level I, II, III Hospitals

TABLE B Sound Transmission Limitations in General Hospitals

TABLE C Filter Efficiencies for Central Ventilation and Air Conditioning Systems in General Hospitals (Repealed)

TABLE D General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)

TABLE E Piping Locations for Oxygen, Vacuum and Medical Compressed Air

TABLE F General Pressure Relationships and Ventilation of Certain Hospital Areas

TABLE G Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 142 et seq.) (210 ILCS 85).

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at

7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993.

SUBPART L: RECORDS AND REPORTS

Section 250.1510 Medical Records

- a) Facilities
  - 1) Suitable medical record facilities, with adequate supplies and equipment, shall be maintained by the hospital.
  - 2) Provision shall be made for the safe storage of medical records. This shall be deemed to mean that medical records are handled in such manner as to assure safety from water seepage or fire damage and are safeguarded from unauthorized use.
- b) Organization
  - 1) Responsible Personnel
    - A) It is recommended that a qualified medical record practitioner (registered medical record administrator or accredited medical record technician) be employed as the director of the medical records department.
    - B) The director of the medical record department shall participate in educational programs relative to medical record activities, in on-the-job training and orientation of other medical record personnel and in-service medical record educational programs. Professional consultation services should be provided for the medical record practitioner.
  - 2) For each patient there shall be an adequate, accurate, timely, and complete medical record. Minimum requirements for medical record content are as follows:
    - A) patient identification and admission information;
    - B) history of patient as to chief complaints, present illness and pertinent past history, family history, and social history;
    - C) physical examination report;
    - D) provisional diagnosis;
    - E) diagnostic and therapeutic reports on laboratory test

- results, x-ray findings, any surgical procedure performed, any pathological examination, any consultation, and any other diagnostic or therapeutic procedure performed;
  - F) orders and progress notes made by the attending physician and when applicable by other members of the medical staff and allied health personnel;
  - G) observation notes and vital sign charting made by nursing personnel; and
  - H) conclusions as to the primary and any associated diagnoses, brief clinical resume, disposition at discharge to include instructions and/or medications and any autopsy findings on a hospital death.
- 3) For record requirements pertaining to maternity patients and newborn infants, see Section 250.1830(i).
- 4) A committee of the organized medical staff shall be responsible for reviewing medical records to ensure adequate documentation, completeness, promptness, and clinical pertinence.
- 5) Requirements for the completion of medical records and for the retention period for medical records shall be established. It is recommended that definite policies and procedures pertaining to the use of medical records and the release of medical record information be issued and that discharge diagnoses be expressed in acceptable terminology of a recognized disease nomenclature.
- c) Authentication of Medical Record Entries
  - 1) All entries into the medical record shall be authenticated by the individual who made or authorized the entry. "Authentication," for purposes of this Section, means identification of the author of a medical record entry by that author, and confirmation that the contents are what the author intended.
  - 2) Medical record entries shall include all notes, orders or observations made by direct patient care providers and any other individuals required to make such entries in the medical record, and written interpretive reports of diagnostic tests or specific treatments including, but not limited to, radiologic or electrocardiographic reports, operative reports, reports of pathologic examination of tissue and other similar reports.
  - 3) Written signatures or initials and electronic signatures or computer-generated signature codes are acceptable as authentication. All signatures or initials, whether written, electronic, or computer-generated, shall include the initials of the signer's credentials.
  - 4) In order for a hospital to employ electronic signatures or computer-generated signature codes for authentication purposes, the hospital's Medical Staff and Board must adopt a policy that permits authentication by electronic or computer-generated signature. The policy shall identify those categories of the medical staff, allied health staff or other personnel within the hospital who are authorized to authenticate patient records using electronic or computer-generated signatures.



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## NOTICE OF ADOPTED AMENDMENT(S)

5) At a minimum, the policy shall include adequate safeguards to ensure confidentiality, including, but not limited to, the following:

- A) Each user must be assigned a unique identifier that is generated through a confidential access code.
- B) The hospital must certify in writing that each identifier is kept strictly confidential. This certification must include a commitment to terminate a user's use of a particular identifier if it is found that the identifier has been misused. "Misused" shall mean that the user has allowed another person or persons to use his or her personally assigned identifier, or that the identifier has otherwise been inappropriately used.
- C) The user must certify in writing that he or she is the only person with user access to the identifier and the only person authorized to use the signature code.
- D) The hospital must monitor the use of identifiers periodically and take corrective action as needed. The process by which the hospital will conduct the monitoring shall be described in the policy.

6) A system employing the use of electronic signatures or computer-generated signature codes for authentication shall include a verification process to ensure that the content of authenticated entries is accurate. The verification process shall include, at a minimum, the following provisions:

- A) The system shall require completion of certain designated fields for each type of document before the document may be authenticated, with no blanks, gaps or obvious contradictory statements appearing within those designated fields. The system shall also require that correction or supplementation of previously authenticated entries shall be made by additional entries, separately authenticated and made subsequent in time to the original entry.
- B) The system must make an opportunity available to the user to verify that the document is accurate and that the signature has been properly recorded.

C) The hospital must, as part of its quality assurance activities, periodically sample records generated by the system to verify the accuracy and integrity of the system.

7) A user may terminate authorization for use of electronic or computer-generated signature upon written notice to the Director of Medical Records or other person designated by the hospital's policy.

8) Each report generated by a user must be separately authenticated.

d) ☒ Indexing

- 1) A patient index which serves as a key to the location of the medical record of each person who is or has been an inpatient shall be maintained as a perpetual master index, using either a card index or a computer facility system. A daily register of

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## NOTICE OF ADOPTED AMENDMENT(S)

patients admitted to the hospital and babies born in the hospital shall be maintained.

- 2) Medical records shall be classified and indexed according to diagnoses, surgical procedures, and physician and other indices shall be developed as deemed necessary for the advancement of medical care.
- 3) It is recommended that the latest edition of the "International Classification of Diseases," or an adaptation thereof, be used as the statistical classification for purposes of uniformity and comparability of data between and among hospitals.

e) ☒ Preservation

- 1) All original medical records or photographs of such records shall be preserved in accordance with a hospital policy based on American Hospital Association recommendations and legal opinion.
- 2) The hospital shall have a policy for the preservation of patient medical records in the event of the closure of the hospital.

(Source: Amended at 17 Ill. Reg. 17225, effective October 1, 1993)

DEPARTMENT OF TRANSPORTATION  
NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Disadvantaged Business Enterprises

2) Code Citation: 92 Ill. Adm. Code 10

3) Section Numbers:

10.10  
10.20  
10.30  
10.40  
10.50  
10.60  
10.70  
10.80  
10.90

Adopted Action:

Amend  
Amend  
Amend  
Amend  
Amend  
Amend  
Amend  
Amend

4) Statutory Authority: Implementing and authorized by Section 5 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.5) [30 ILCS 505/5] and by Sections 3-101, 3-103, and 4-201 of the Illinois Highway Code (Ill. Rev. Stat. 1991, ch. 121, pars. 3-101, 3-103 and 4-201.1) [605 ILCS 5/3-101, 3-103, and 4-201.1]

5) Effective date of rules: September 24, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporations by reference? Yes. These conform to Section 5-75(a) of the Illinois Administrative Procedure Act.

8) Date filed in agency's principal office: September 20, 1993

9) Notice of proposal published in Illinois Register:

April 23, 1993, 17 Ill. Reg. 6418

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

The following changes were made in agreement with JCAR and the Code Division:

The Department corrected Section 10.60(g) pursuant to the Code Division's memo.

The Department deleted the "s" from the word "amendments" in the Authority Note.

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The Department deleted the comma in Section 10.10(b)(1) at the end of the subsection.

In Section 10.40(a), the Department deleted duplicate language that was inadvertently included in the proposed rule.

In Section 10.40(d), the Department has stricken through the comma after the word "licenses".

In Section 10.40(d), the Department initially capped the word "state".

In Section 10.50(f), second sentence, the word "certificate" is now in lower case.

In Section 10.70(e)(2), the Department has stricken through the comma after "the Certification Review Committee".

In Section 10.70(e)(5), the Department removed the strike through of the comma after "49 CFR 23.55,".

In Section 10.80(b)(2)(F)(ii), the Department deleted the comma after "the Certificate Review Committee."

In Section 10.90, the Department deleted "/1 et seq. (1992)" in the ILCS citation.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes.

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules: By this Notice of Adopted Amendments, the Department is making the changes needed to delete the recommendation role of a Certification Analyst and the decision making role of the Management Committee in the disadvantaged business certification process. The newly defined Certification Section is given an information gathering and audit function with decision making authority vested in the Bureau Chief. The amendments make all necessary changes to conform all aspects of the rule to the amended decision making structure as well as grammatical changes considered appropriate. These changes will vest authority for all decisions in the Bureau Chief except review decisions. New Section 10.90 is added to make clear that the Certification Review Committee deliberations will be subject to the Open Meetings Act but that no regular meetings will be scheduled. Instead, special meetings will be scheduled, and notice given to the public, within sixty days of filing of any request

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for review.

Additionally, references to minority business enterprises (MBEs) and woman-owned businesses (WBEs) have been deleted because the MBE and WBE goals are combined with, and are considered to be, DBE goals.

Finally, the citations to the CFR have been revised because the numbering system in the Code of Federal Regulations (CFR) changes with the updated issues. The revisions ensure that the references to the CFR remain as current as possible.

16) Information and questions regarding these adopted rules shall be directed to:

Ms. Beverly Herrin  
DBE Certification Section  
Illinois Department of Transportation  
Office of Finance and Administration  
Springfield, Illinois 62764  
(217) 782-5490

The full text of the Adopted Rules begins on the next page:

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER a: GENERAL

PART 10  
DISADVANTAGED, MINORITY- AND  
WOMAN-OWNED BUSINESSES- ENTERPRISES

Section  
10.10  
10.20  
10.30  
10.40  
10.50  
10.60  
10.70  
10.80  
10.90

Purpose  
Incorporation By Reference of Federal Regulations  
Definitions  
Eligibility Standards  
Certification  
Recertification  
Decertification  
Challenge  
Public Meetings

AUTHORITY: Implementing and authorized by Section 5 of the Illinois Purchasing Act (Ill. Rev. Stat. 198791, ch. 127, par. 132.5)[30 ILCS 505/51 and by Sections 3-101, 3-103, and 4-201.1 of the Illinois Highway Code (Ill. Rev. Stat. 198791, ch. 121, pars. 3-101, 3-103 and 4-201.1)[605 ILCS 5/3-101, 3-103, and 4-201.1].

SOURCE: Adopted at 11 Ill. Reg. 13645, effective August 3, 1987; amended at 12 Ill. Reg. 9717, effective May 24, 1988; amended at 13 Ill. Reg. 3962, effective March 14, 1989; emergency amendment at 16 Ill. Reg. 16407, effective October 9, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 17239, effective September 24, 1993

Section 10.10 Purpose

a) The purpose of this Part is to carry out the United States Department of Transportation's policy of supporting the fullest possible participation of firms owned and controlled by disadvantaged individuals, minorities, and women in the performance of contracts financed in whole or in part with federal funds.

b) The purpose of this Part is also to establish:

- 1) the procedures governing the administrative actions taken by the Department to certify, recertify or decertify firms desiring to participate as disadvantaged, minority- or woman-owned businesses in Department contracts containing Disadvantaged Business Enterprise (DBE), Minority Business



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~~Enterprise (MBE), Woman-Owned Business Enterprise (MBE) goals; and~~

- 2) the challenge procedures applicable to the social and economic disadvantage of firms desiring to participate as ~~disadvantaged businesses.~~

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

## Section 10.20 Incorporation by Reference of Federal Regulations

Whenever this Part refers to 49 CFR 23 the ~~Code of Federal Regulations~~ and that reference incorporates the federal regulations by reference, the federal regulation incorporated shall be that which was effective as of ~~October 21, 1987~~ October 1, 1992, not including any later amendments or editions. Copies of the appropriate federal regulations are available from the Certification Section of the Bureau of Small Business Enterprises.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

## Section 10.30 Definitions

## As used in this Part:

"Applicant" means a concern that submits an application for certification or recertification as a Disadvantaged Business Enterprise (DBE), ~~MBE or WBE.~~

"Bureau" means the Bureau of Small Business Enterprises of the Illinois Department of Transportation.

"Bureau Chief" means the Department's Bureau Chief of the Bureau of Small Business Enterprises or his designee.

~~"Certification Analyst" means an employee of the Illinois Department of Transportation whose duties include an in-depth examination of certification applications for disadvantaged, minority and woman-owned businesses.~~

"Certification Manager" means the Manager of the Certification Section of the Bureau of Small Business Enterprises of the Illinois Department of Transportation or his designee.

"Certification Review Committee" means the Illinois Department of Transportation's Committee on Disadvantaged, ~~Minority, and Woman-Owned Business Certification.~~ The Bureau Chief, ex officio, is clerk of the Certification Review Committee. Other members

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include: the Director of the Office of Finance and Administration or designee, the Director of Highways or designee, the Director of the Office of Planning and Programming or designee, the Director of the Division of Aeronautics or designee, ~~the a~~ District Engineer or designee and the Manager, Certification Section, Bureau of Small Business Enterprises.

"Certification Section" means the section within the Bureau responsible for certification matters.

"Concern" means any business entity organized for profit and includes an individual sole proprietor, partnership without limited partners, corporation or professional association.

"Contract" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Contractor" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

"Department" means the Illinois Department of Transportation.

"Disadvantaged business" or "DBE" shall have the meaning defined in 49 CFR 23.62 which is incorporated by reference at Section 10.20.

"Joint venture" shall have the meaning defined in 49 CFR 23.5 ~~and 49 CFR 23, Schedule B~~ which ~~are~~ is incorporated by reference at Section 10.20.

~~"Management Committee" means the Bureau Chief, the Certification Manager, the Manager of the Policy and Support Services Section and the Manager of the Labor/EO & DBE/MBE Contract Compliance Section of the Bureau of Small Business Enterprises of the Illinois Department of Transportation.~~

~~"Minority" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.~~

~~"Minority business enterprise" or "MBE" shall have the meaning defined in 49 CFR 23.5 which is incorporated by reference at Section 10.20.~~

"On-site visit" means the observation of the applicant in ~~its~~ his/her normal surroundings by such means as visual observation, the posing of verbal questions, and an ascertainment of the general pattern of operations of the applicant's concern.

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"Program" means a Disadvantaged, ~~Minority and Woman-Owned~~ Business Enterprise Program adopted pursuant to 49 CFR 23.41 which is incorporated by reference at Section 10.20.

"Secretary" means the Secretary of the Illinois Department of Transportation or ~~his~~ designee.

"Small business concern" shall have the meaning defined in 49 CFR 23.62 which is incorporated by reference at Section 10.20.

"Socially and economically disadvantaged individuals" shall have the meaning defined in ~~49 CFR 23.62 and 49 CFR 23, Subpart D, Appendix C~~ which are ~~is~~ incorporated by reference at Section 10.20.

"USDOT departmental element" shall have the meaning defined as "departmental element" in 49 CFR 23.5 which is incorporated by reference at Section 10.20.

~~"Woman-owned business" or "WBE" means a small business concern which is at least 51 per centum owned by one or more women or, in the case of a publicly owned business, at least 51 per centum of the stock of which is owned by one or more women, and whose management and daily business operations are controlled by one or more of the women-owners.~~

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

Section 10.40 Eligibility Standards

- a) Only concerns and joint ventures certified by the Department as disadvantaged, ~~minority or woman-owned~~ are eligible to be counted toward the ~~applicable disadvantaged, minority or woman-owned~~ business goals established in contracts let by the Department. To ensure that this Part benefits only qualified applicants, the eligibility standards of 49 CFR 23 shall be used by the Department to determine whether an applicant is owned and controlled by one or more ~~minorities in the case of an MBE, women in the case of a WBE, or socially and economically disadvantaged individuals in the case of a DBE~~. The determination of eligibility for certification or recertification shall be governed by the eligibility standards. An applicant for certification or recertification shall prove that it satisfies the eligibility standards. For example, an individual applying for certification is required to submit documentation verifying ethnicity, including but not limited to, a passport, a birth certificate, tribal certificate, Bureau of Indian Affairs card, and Armed Services Discharge Papers. An applicant for

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certification in accordance with either Section 10.50(h)(1), 10.60(k)(1) or 10.70(f)(1), in addition to proving that it satisfies all eligibility standards, shall prove that it has corrected all deficiencies listed in the Notice of Denial or Decertification. These standards of eligibility must be met before an applicant can be certified. If a firm fails to meet one of the eligibility standards, no further consideration need be given to the application, and the certification shall be denied.

- b) ~~1) An applicant shall be certified or recertified as a DBE, in accordance with the procedures set forth in Sections 10.50 and 10.60, if the applicant meets the definition of a DBE as determined by the eligibility standards.~~
- ~~2) An applicant shall be certified or recertified as an MBE, in accordance with the procedures set forth in Sections 10.50 and 10.60, if the applicant meets the definition of an MBE as determined by the eligibility standards.~~
- ~~3) An applicant shall be certified or recertified as a WBE, in accordance with the procedures set forth in Section 10.50 and 10.60, if the applicant meets the definition of a WBE as determined by the eligibility standards.~~
- ~~b) An applicant shall meet all eligibility standards set forth in 49 CFR 23.53(a)(1) through (a)(6) inclusive and 49 CFR 23.53(c) and (d) which are incorporated by reference at Section 10.20.~~
- c) An applicant whose principal place of business is located in a state other than Illinois shall be certified by that state in accordance with its program prior to certification by the Department.
- d) An applicant shall possess all necessary, valid licenses, and operating authority or certification of authority to do business in this State prior to certification by the Department.
- e) In accordance with the eligibility standards set forth in 49 CFR 23.53(a)(2), the Department shall give consideration to the following circumstances in determining eligibility in this Part:
- 1) Applicants which are newly formed or whose ownership or control has changed within two years prior to the application for certification shall be examined to determine if the firm meets the criteria for an independent

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business and that the ownership is not merely pro forma.

- 2) A previous or continuing employer-employee relationship between or among present owners of an applicant shall be examined to ensure that the eligible owner has the management responsibility, control and capability provided for in the eligibility standards.
- 3) Any relationship between an applicant and a business, concern, firm or individual which is not eligible for certification shall be examined to determine if the relationship conflicts with the ownership and control requirements of the eligibility standards. Such relationships include but are not limited to the following:
  - A) shared employees;
  - B) shared or leased equipment;
  - C) shared or leased office space;
  - D) shared or leased storage space or equipment storage yards;
  - E) financial investment, loans or assistance;
  - F) interlocking management; and
  - G) management or technical services.

- 4) Applicants which are not operational shall not be eligible for certification pursuant to this Part. In order to be considered operational, a concern shall be established in business and shall demonstrate the actual performance, control, management and supervision of work in the categories of work for which certification is sought or the ability and the expertise to perform, control, manage and supervise the work in the categories of work for which certification is sought. In order to demonstrate the above described elements, an applicant without past experience may offer such evidence as: prior ownership of a business, prior work experience in the work categories sought, or prior work experience in related work categories.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

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## Section 10.50 Certification

- a) Any applicant which desires certification as a DBE, ~~WBE or WBE~~ under this Part shall file with the Certification Section of the Bureau of Small Business Enterprises a Certification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information, including but not limited to, assumed name certificates, partnership agreements, corporate bylaws and signed loan agreements, which are required by the Certification Application and 49 CFR 23, ~~Schedule A~~, incorporated by reference herein. Applicants which desire certification as a joint venture under this Part shall file with the Certification Section of the Bureau, in addition to the Certification Application, the Joint Venture Certification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information, including but not limited to, capital contribution schedules, profit/loss allocation between the ventures, work resumes and separate individual capital accounts, which are required by the Joint Venture Certification Application and 49 CFR 23, ~~Schedule B~~, incorporated by reference herein. The applications may be obtained from the Bureau. All portions of the appropriate applications shall be completed, and all required attachments must be submitted before a determination of eligibility will be made.
- b) The Certification Section shall date and time-stamp the application when received, and assign it to a Certification Analyst for ~~examination and review~~. The Certification Analyst Section will ensure that all portions of the application have been completed or marked not applicable and that all required attachments have been submitted. The applicant will be requested to supply missing information or attachments.
- c) When the Certification Analyst Section verifies that the application is complete, an audit will be conducted on the eligibility of the applicant.
  - 1) The applicant may be requested to supply additional information or documentation to verify the contents of the application or to aid in the eligibility determination. Examples of such information and documentation include but are not limited to the following:
    - A) evidence of equity contribution, such as personal bank account statement, loan documents and/or copy of equity contribution check,



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- B) evidence of required license/ or operating authority to transact business in the State of Illinois,
- C) bank signature card,
- D) bank resolution,
- E) income tax records, and
- F) evidence of stock transfer(s).

2) The applicant shall supply additional information or documentation which is requested by the Certification Analyst in order to make an eligibility determination. An applicant which does not supply such additional information or documentation shall not be certified.

d) The Certification Analyst shall arrange for include an on-site visit to the offices of the applicant and to any job sites on which the applicant is working at the time of the audit. The Certification Analyst shall further arrange for the include a personal interview of with the principal owners of the applicant firm.

e) Upon completion of the audit, the Certification Analyst shall draft an audit determination. The audit determination shall set forth the findings and conclusions of the audit and shall make a recommendation either to certify or not certify the applicant. The Certification Analyst shall be governed by the standards for eligibility set forth in Section 10.40 of this Part.

e)f) The Management Committee shall render a decision regarding certification of the applicant shall be based upon the audit determination and the application and record assembled by the Certification Analyst Section, but the Management Committee shall not be required to follow the Certification Analyst's recommendation. Applicants shall not be certified unless the Management Committee finds that the audit determination and record establishes that the applicant meets the eligibility standards set forth in Section 10.40 of this Part. Applicants shall not be denied certification unless the Management Committee finds that the applicant has not met its have the burden of establishing compliance with the eligibility standards. An audit determination upon which a finding cannot be made shall be returned to the Certification Section with a statement of deficiencies.

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f)g) A letter of approval and certificate shall be mailed by the ~~Certification Manager~~ Bureau Chief to applicants granted certification. The certificate of DBE/MBE/MBE Certification is effective for a period of one year from the date of the approval letter. Joint venture certification is effective for specific contracts only. Certificates shall remain the property of the Department.

g)h) A Notice of Denial, which contains a statement of the reasons why the applicant has not been certified and the provision(s) of the eligibility standards which support the denial, shall be mailed by the ~~Certification Manager~~ Bureau Chief to applicants denied certification. Service shall be by certified mail, return receipt requested. Except as provided in 49 CFR 23.55, the denial of certification shall be final for all contracts being let at the time of the denial. Applicants denied certification may:

- 1) Correct deficiencies listed in the Notice of Denial and reapply for certification after the passage of one hundred and eighty calendar days from receipt of the Notice of Denial by filing a Certification Application; or
- 2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days from the date of the Department's Notice of Denial.

h)i) The Bureau shall maintain a DBE/MBE/MBE Directory of certified concerns. A joint venture certified for a particular contract will not be listed in the Directory.

i)j) Once certified, a concern is eligible to be counted toward the applicable DBE disadvantaged, minority or woman-owned business goals established in contracts let or administered by the Department. Certification does not guarantee any contract or subcontract. As a condition of certification, a concern will be required to assure on all contracts or subcontracts, for which the concern will be counted toward a goal, that it will perform a commercially useful function in the work of the contract. The concern is considered to perform a commercially useful function when it is responsible for a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing and supervising the work involved. Failure to perform a commercially useful function is a violation of the eligibility standards.

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~~1)k)~~ At any time there is a change in the ownership or control of a certified DBE, ~~MBE~~ or ~~WBE~~, the certification lapses and the concern shall be deleted from the DBE/~~MBE~~/~~WBE~~ Directory. A certified DBE, ~~MBE~~ or ~~WBE~~ which has changed its ownership or control shall notify the Certification Section of the Bureau without delay and shall surrender its Certificate. The concern which has surrendered its Certificate may file a new Certification Application.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

## Section 10.60 Recertification

a) Once certified, any concern for which there has been no change in ownership or control and which desires to remain certified as a DBE, ~~MBE~~ or ~~WBE~~ under this Part shall annually file with the Certification Section of the Bureau a Recertification Application in a form approved by the appropriate USDOT departmental element, together with all supporting information required by the application and 49 CFR 23.1-Schedule A, incorporated by reference herein. The application may be obtained from the Bureau. All portions of the application shall be completed, and all required attachments, including but not limited to, current financial statements, copies of current shareholder meeting minutes and work resumes must be submitted before a determination of eligibility for recertification can be made. Joint ventures shall not be recertified.

b) The certification of a concern which does not file a Recertification Application prior to the expiration of its period of certification will lapse and the concern will be deleted from the DBE/~~MBE~~/~~WBE~~ Directory. The Department shall allow a five business day period of grace after the expiration during which time a Recertification Application will be accepted. The certification of a DBE, ~~MBE~~ or ~~WBE~~ that has timely filed a Recertification Application shall continue pending the consideration of the renewal.

c) The Certification Section shall date and time-stamp the application when received, and assign it to a Certification Analyst for examination and review. The Certification Analyst Section will ensure that all portions of the application have been completed or marked not applicable and that all required attachments have been submitted. The applicant will be requested to supply missing information or attachments.

d) When the Certification Analyst Section verifies that the

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Recertification Application is complete, an audit will be conducted on the eligibility of the applicant.

1) The applicant may be requested to supply additional information or documentation (see Section 10.50(c)(1)) to verify the contents of the application or to aid in the eligibility determination.

2) The applicant shall supply additional information or documentation which is requested by the Certification Analyst in order to make an eligibility determination. An applicant which does not supply such additional information or documentation shall not be recertified.

e) The Certification Analyst audit shall arrange for include an on-site visit to the applicant when questions remain unanswered after the audit and cannot be resolved by written correspondence or telephone contact.

~~f)~~ Upon completion of the audit, the Certification Analyst shall draft an audit determination. The audit determination shall set forth the findings and conclusions of the audit and shall make a recommendation either to recertify or not recertify the applicant. The Certification Analyst shall be governed by the standards for eligibility set forth in Section 10.40 of this Part.

~~f)g)~~ The Management Committee shall render a decision regarding recertification of the applicant shall be based upon the audit determination and the application and record assembled by the Certification Analyst Section, but the Management Committee shall not be required to follow the Certification Analyst's recommendation. Applicants shall not be recertified unless the Management Committee finds that the audit determination and record establishes that the applicant meets the eligibility standards of Section 10.40 or that no changes have occurred since the applicant's last certification or recertification. Applicants shall not be denied recertification unless the Management Committee finds that the applicant has not met its standards. An audit determination upon which a finding cannot be made shall be returned to the Certification Section with a statement of deficiencies.

~~g)h)~~ A letter of approval and certificate shall be mailed by the Certification Manager Bureau Chief to applicants granted recertification. DBE/~~MBE~~/~~WBE~~ recertification is effective one year from the date of the approval letter. Certificates shall



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remain the property of the Department.

~~h)1-~~ A Notice of Denial, which contains a statement of the reasons why the applicant has not been recertified and the provision(s) of the eligibility standards which support the denial, shall be mailed by the Certification Manager Bureau Chief to applicants denied recertification. Service shall be by certified mail, return receipt requested. The denial of recertification shall be final for all contracts being let at the time of the denial unless the applicant files a Request for Review by the Certification Review Committee.

~~h)2-~~ An applicant denied recertification may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the Notice of Denial. The Request for Review shall be filed with the Bureau Chief. If the applicant does not file a Request for Review within twenty business days of receipt of the Notice of Denial, then the applicant shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the Notice of Denial pending determination of the review.

1) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of the eligibility standards and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager Bureau Chief within ten business days of receipt of the Request and shall be restricted to the same requirements as to length and format.

2) The decision of the Certification Review Committee shall be made on the application record assembled by the Certification Section, the Notice of Denial, the Request for Review and the reply of the applicant including all submissions, the audit determination and the Notice of Denial. No new or additional documentation or information shall be considered by the Certification Review Committee without a showing by the party presenting such documentation or information that it was not available or, through due diligence, could not have been made available. When there is insufficient information to render a decision and/or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen

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~~calendar days notice to may request the applicant and the Certification Manager Bureau Chief to may schedule a meeting at a time and date convenient to all parties, at which time both parties may make oral presentations addressing the issues in the Request for Review at the meeting scheduled to consider the review.~~

3) If the Certification Review Committee does not agree with the audit recommendation decision to deny recertification and believes the eligibility standards contained in 49 CFR 23 have been met, the recommendation for denial of recertification will be reversed. The file shall be returned to the Certification Manager Bureau Chief with directions to recertify the applicant in accordance with Section 10.60(h).

4) If the Certification Review Committee affirms the denial of recertification, then the decision of the Certification Review Committee affirming the Notice of Denial shall be mailed to the applicant within ten business days. Service shall be by certified mail, return receipt requested.

~~h)3-~~ Except as provided in 49 CFR 23.55, the denial of recertification shall be final for all contracts being let at the time of the denial. Applicants denied recertification may do either one of the following:

1) Correct deficiencies listed in the Notice of Denial and reapply for certification after the passage of one hundred and eighty calendar days from the date of the Certification Review Committee decision by filing a Certification Application; or

2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days from the date of the Certification Review Committee decision.

~~h)4-~~ At any time there is a change in the ownership or control of a certified DBE, MBE or WBE, the certification lapses and the applicant shall be deleted from the DBE/MBE/WBE Directory. A certified DBE, MBE or WBE which has changed its ownership or control shall notify the Certification Section of the Bureau without delay and shall surrender its Certificate. The concern which has surrendered its certificate may file a new Certification Application.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993)



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## Section 10.70 Decertification

a) If, as a result of random monitoring, on-site reviews, complaints and/or contact with Department personnel, the Certification Manager obtains any information evidencing that:

- 1) a certified DBE, ~~MBE~~, ~~MBE~~, ~~MBE~~ or joint venture does not meet the eligibility standards;
- 2) a false statement was made in a Certification Application or Recertification Application;
- 3) a certified DBE, ~~MBE~~, ~~MBE~~, ~~MBE~~ or joint venture's size, organization, ownership or control has changed, resulting in a violation of the eligibility standards;
- 4) a certified DBE, ~~MBE~~, ~~MBE~~, ~~MBE~~ or joint venture has gone out of business; or
- 5) the certified DBE, ~~MBE~~, ~~MBE~~, ~~MBE~~ or joint venture is engaging in any activity prohibited by this Part or by 49 CFR 23 including but not limited to the failure to perform a commercially useful function on any contract or subcontract;

the Certification Manager shall begin the decertification process.

b) Any certified DBE, ~~MBE~~, ~~MBE~~, ~~MBE~~ or joint venture which the Certification Manager proposes to decertify, pursuant to this Part, shall be examined in the same manner as an applicant for certification in accordance with the standards set forth in Section 10.50 of this Part. The Certification Manager shall notify the certified concern of his/her intention to examine the certification and the reasons therefor.

c) The concern so notified shall supply all requested information to the Certification Section. Any concern which does not supply such additional information or documentation as requested shall be decertified.

~~d) Following the examination of the concern, the Certification Analyst shall draft an audit determination. The audit determination shall set forth findings and conclusions of the desk audit and any field examination and shall make a recommendation as to whether or not to decertify. The Management Committee shall render a decision based upon the audit determination and the supporting record, but the Management Committee shall not be required to follow the Certification Analyst's recommendation.~~

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~~The DBE, MBE or MBE shall not be decertified unless the Management Committee finds that the audit determination and the supporting record establish that the concern does not meet the eligibility standards set forth in Section 10.40 of this Part, and that cause for decertification exists.~~

~~d) If the recommendation is not to decertify, then the DBE, MBE, or MBE shall be notified that based upon the information obtained through the investigation, it will not be decertified.~~

~~e) If the decision is to decertify, then a Notice of Decertification shall be sent to the DBE, MBE or MBE by certified mail, return receipt requested. The Notice mailed by the Bureau Chief shall include:~~

- ~~1) A) a statement of the reasons for decertification;~~
- ~~2) B) the provisions of 49 CFR 23 and this Part which support decertification; and,~~
- ~~3) C) a statement that the Notice of Decertification is final unless a review is requested.~~

~~e) A DBE, MBE or MBE who receives a Notice of Decertification may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the Notice of Decertification. The Request for Review shall be filed with the Bureau Chief. If the DBE, MBE or MBE does not file a Request for Review within twenty business days of receipt of the Notice of Decertification, then the DBE, MBE or MBE shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the Notice of Decertification pending determination of the review.~~

~~1) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of the standards listed under Section 10.70(a) and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager Bureau Chief within ten business days of receipt of the Request and shall be restricted to the same requirements as to length and format.~~

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2) The decision of the Certification Review Committee shall be made on the application record of the application including all submissions, the audit determination and the Notice of Decertification, the Request for Review and the reply. No new or additional documentation or information shall be considered by the Certification Review Committee without a showing by the party presenting such documentation or information that it was not available or, through due diligence, could not have been made available. When there is insufficient information to render a decision and/or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen-calendar days notice to the applicant and the Certification Manager, may schedule a meeting at a time and date convenient to all parties, at which time may request the applicant or the Bureau Chief both parties may to make oral presentations addressing the issues in the Request for Review at the meeting scheduled for the review.

3) If the Certification Review Committee does not agree with the audit recommendation to decertify and believes the eligibility standards contained in 49 CFR 23 have been met, the recommendation for decertification will be reversed. The file shall be returned to the Certification Manager-Bureau Chief with directions not to decertify the DBE, WBE or WBE in accordance with Section 10.70(d)(1).

4) If the Certification Review Committee affirms the decision to decertify, then the decision of the Certification Review Committee affirming the Notice of Decertification shall be mailed to the DBE, WBE or WBE. Service shall be by certified mail, return receipt requested.

5) Once the Certification Review Committee has made a final decision to decertify, that determination goes into effect immediately with respect to program participation, and the concern shall be removed from the DBE, WBE, WBE Directory. Except as provided in 49 CFR 23-55, the decertification by the Certification Review Committee shall be final.

f) Any concern believing that it has wrongly been decertified as a disadvantaged, minority, woman-owned business or joint venture by the Department may do either one of the following:

1) Correct deficiencies listed in the Notice of Decertification and reapply for certification after the passage of one hundred and eighty calendar days from the date of the

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Certification Review Committee decision by filing a Certification Application; or

2) File an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days after the date of the final Certification Review Committee decision.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993.)

## Section 10.80 Challenge

a) Any third party may challenge the socially and economically disadvantaged status of any individual presumed to be socially and economically disadvantaged pursuant to 49 CFR 23-62, provided that the challenged individual is an owner of a concern certified by or seeking certification from the Department as a DBE. Only a signed, written challenge which includes all information available to the challenging party shall be accepted by the Certification Manager-Bureau Chief. An individual who has a current certification pursuant to Section 8(a) of the Small Business Act (15 U.S.C. 687(a)) may not be challenged. During the pendency of a challenge, the presumption that the challenged party is a socially and economically disadvantaged individual shall remain in effect.

b) The Certification Manager-Bureau Chief shall evaluate the information provided by the challenging party to determine whether the challenged party is in fact not socially and economically disadvantaged in accordance with 49 CFR 23-62 and 49 CFR 23, Subpart D, Appendix C.

1) Should the Certification Manager-Bureau Chief determine the information presented is insufficient to substantiate that the challenged party is not socially and economically disadvantaged, the Certification Manager-Bureau Chief shall so inform the challenging party in writing. This decision is final and terminates the proceeding.

2) Should the Certification Manager-Bureau Chief determine the information presented is sufficient to substantiate that the challenged party is not socially and economically disadvantaged, the Certification Manager-Bureau Chief shall begin a proceeding as herein provided.

A) The Certification Manager-Bureau Chief shall serve

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the challenged party with a written Notice of Challenge. Service shall be by certified mail, return receipt requested. The Notice shall include:

- i) a statement that the status of a socially and economically disadvantaged individual has been challenged;
- ii) identification of the challenging party;
- iii) a summary of the grounds for the challenge;
- iv) identification of all information or documents submitted in support of the challenge; and,
- v) a statement that the challenged party shall have fifteen business days after receipt within which to respond to the challenge, providing the Certification Manager Bureau Chief with information sufficient to permit evaluation of the socially and economically disadvantaged status of the individual. Failure to provide the requested information within the specified time shall result in decertification or a denial of certification or recertification.

B) The Certification Manager Bureau Chief shall evaluate the available information in accordance with the socially and economically disadvantaged standards referenced in Section 10.30 of this Part and make a proposed determination of whether the challenged party meets the standards.

C) The Certification Manager Bureau Chief shall notify both parties of this proposed determination in writing, setting forth the reasons for the proposal. The Certification Manager Bureau Chief shall provide an opportunity to the parties for a meeting at which the parties shall have the opportunity to respond to this proposed determination in writing and in person. If the request for a meeting is not filed within twenty business days of receipt of the proposed determination, the Certification Manager Bureau Chief shall make a final determination based on the available information.

D) Upon receipt by the Certification Manager Bureau

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Chief of the written request for a meeting, the Certification Manager Bureau Chief shall schedule a meeting within forty-five days of receipt of the request for a meeting. The meeting shall be informal and no rules of evidence shall apply. There shall be no presentation of witnesses and no cross-examination. The Certification Manager Bureau Chief shall give the challenged and challenging parties twenty business days notice of the meeting date.

E) The Certification Manager Bureau Chief shall inform the parties in writing of the final determination, setting forth the reasons for the decision.

F) A party which is challenged and found not to be socially and economically disadvantaged under this Section may file a written Request for Review by the Certification Review Committee within twenty business days of receipt of the decision of the Certification Manager Bureau Chief. The Request for Review shall be filed with the Bureau Chief. If the party does not file a Request for Review within twenty business days of receipt of the decision of the Certification Manager Bureau Chief, then the party shall be deemed to have waived its opportunity to file a Request for Review. The filing of the Request shall stay the effect of the notification that the challenged party is not socially and economically disadvantaged pending determination of the review.

i) The Request for Review shall detail the assailed findings, indicate the error(s) made in the application of 49 CFR 23-62 and shall be confined to factual and legal issues essential to the ultimate and just determination of the review. The Request shall not exceed ten pages in length, excluding a separate preface and summary of the argument which shall not exceed one page. A reply to the Request shall be filed by the Certification Manager Bureau Chief within ten business days of receipt of the Request and shall be restricted to the same requirements as to length and format.

ii) The decision of the Certification Review Committee shall be made on the record of the challenge. No new or additional documentation



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or information shall be considered by the Certification Review Committee without a showing by the party presenting such documentation or information that it was not available or, through due diligence, could not have been made available. When there is insufficient information to render a decision and/or clarify information submitted in the Request for Review, the Certification Review Committee, upon fifteen calendar days notice to may request the applicant and the Bureau Chief Certification Manager, may schedule a meeting at a time and date convenient to all parties, at which time both parties may to make oral presentations addressing the issues in the Request for Review at the meeting scheduled to consider the review.

iii) If the Certification Review Committee believes the information reviewed is sufficient to reverse the decision of the Certification Manager Bureau Chief, then the file shall be returned to the Certification Manager Bureau Chief with directions to allow the party's socially and economically disadvantaged status to stand.

iv) If the Certification Review Committee believes the information reviewed is sufficient to affirm the decision that the challenged party is not socially and economically disadvantaged, then the decision of the Certification Review Committee affirming the final determination shall be mailed to the challenged party. Service shall be by certified mail, return receipt requested.

G) Once the Certification Review Committee has made a final decision on a challenge matter, that determination goes into effect immediately with respect to the Department's contracts. Except as provided in 49 CFR 23-55, the decision by the Certification Review Committee shall be final for all contracts being let at the time of the final determination.

H) The party adversely affected by the final determination of the Certification Review Committee may file

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an appeal in writing, signed and dated, with the United States Department of Transportation within one hundred and eighty calendar days after the date of the final determination.

(Source: Amended at 17 Ill. Reg. 17239, effective September 24, 1993)

## Section 10.90 Public Meetings

All meetings of the Certification Review Committee shall be conducted in accordance with the provisions of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, pars. 41 et seq.) [5 ILCS 120]. The Certification Review Committee shall not conduct regularly scheduled meetings but shall schedule a special meeting within 60 days of the filing of a Request for Review.

(Source: Added at 17 Ill. Reg. 17239, effective September 24, 1993)

## DEPARTMENT OF CONSERVATION

## NOTICE OF EMERGENCY AMENDMENTS

1) HEADING OF THE PART: Commercial Fishing in Lake Michigan

2) CODE CITATION: 17 Ill. Adm. Code 850

3) SECTION NUMBERS: EMERGENCY ACTION:

850.20  
850.30

Amendments  
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars., 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1).

5) EFFECTIVE DATE OF AMENDMENTS: September 23, 1993

6) IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE: This emergency amendment will remain in effect for the 150-day period.

7) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 23, 1993

8) REASON FOR EMERGENCY: To maintain the incidental trout and salmon catch within the target range while permitting overnight net sets during the months of October and November as agreed upon by a majority of the Ad-Hoc Committee on Lake Michigan Commercial Fishing. Allowing overnight fishing reduces the amount of fishing the commercial fishermen now have to do during dangerous winter conditions to reach their allowable quota.

9) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:  
To reduce the annual total harvest of bloater chubs from 227,000 pounds (dressed weight) to 125,000 pounds (dressed weight) in combination with allowing overnight sets during October and November, the estimated chinook and lake trout incidental captures would remain well within the targeted incidental catch range agreed upon by the Ad-Hoc Committee on Lake Michigan Commercial Fishing on January 11 and March 22, 1993, for both species.

10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? No

11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable):

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12) INFORMATION AND QUESTIONS REGARDING THESE AMENDMENTS SHALL BE DIRECTED TO:

Jack Price  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

THE FULL TEXT OF THE EMERGENCY AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 850

## COMMERCIAL FISHING IN LAKE MICHIGAN

Section	
850.5	Introduction
850.10	Possession and Identification of Gear
850.20	Quota
EMERGENCY	
850.30	Restricted Commercial Fishing Areas
EMERGENCY	
850.40	Limited Entry
850.50	License Eligibility and License Provisions
850.60	Application for License
850.80	Suspension or Revocation

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1).

**SOURCE:** Adopted at 3 Ill. Reg. 44, p. 46, effective November 1, 1979; codified at 6 Ill. Reg. 877; amended at 6 Ill. Reg. 3846, effective March 31, 1982; amended at 7 Ill. Reg. 2711, effective March 2, 1983, amended at 8 Ill. Reg. 7220, effective May 15, 1984; emergency amendments at 9 Ill. Reg. 4854, effective April 2, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6179, effective April 23, 1985; amended at 10 Ill. Reg. 9789, effective May 21, 1986; amended at 12 Ill. Reg. 7996, effective April 25, 1988; amended at 16 Ill. Reg. 11029, effective June 30, 1992; emergency amendments at 16 Ill. Reg. 12626, effective July 24, 1992, for a maximum of 150 days; emergency expired December 21, 1992; amended at 16 Ill. Reg. 18967, effective December 1, 1992; emergency amendments at 17 Ill. Reg. 17263, effective September 23, 1993, for a maximum of 150 days.

**Section 850.20 Quota**  
EMERGENCY

- a) Harvest quotas will be reviewed annually and will be established by the Department for each license fishing year taking into consideration the condition and supply of Lake Michigan fish stocks.
- b) For each license year beginning April 1st and ending

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March 31st, an annual total harvest quota of 343,000 pounds (round weight) of yellow perch and 227,000 (dressed weight) of bloater chubs will be permitted. These annual total harvest quotas shall be divided equally among each licensee at the beginning of each license year. Upon reaching their share of the annual harvest quota for each species, each commercial licensee holder shall terminate fishing for that species for the remainder of the current license year. It shall be unlawful to possess other species except smelt and alewife incidentally caught in bloater chub and yellow perch gill nets, fished in compliance with this part and the Illinois Fish Code. All other species must be removed immediately from the gill nets as they are brought on board the vessel and returned to the water at once in the same condition as taken.

(Source: Emergency amendments at 17 Ill. Reg. 17263, effective September 23, 1993, for a maximum of 150 days)

**Section 850.30 Restricted Commercial Fishing Areas**  
EMERGENCY

- a) During the months of July and August, commercial gill net fishing may be undertaken anywhere in the Illinois portion of Lake Michigan outside of the 1,000 yard distance from any pier, breakwater, or similar structure, or the low water mark on the shore. From the months of September through June, inclusive, commercial fishermen must fish in water depths of at least 5 fathoms (30 feet) or deeper to minimize incidental catch of salmon and trout.
- b) The following described area in Lake Michigan is established as fish refuge and it shall be unlawful for any person to place any commercial fishing device in it: all waters on or adjacent to any area commonly referred to as Julian's Reef, located in a general area bounded by 42 16'00" north latitude on the north, 87 29'00" west longitude on the east, 42 11'00" north latitude on the south and 87 35'00" west longitude on the west, on U.S. lake survey navigational chart #75, edition of April 1972 (National Oceanic and Atmospheric Administration).
- c) During the months of August, and September, ~~October and November~~, all gill nets set in the Illinois portion of Lake Michigan in waters up to 20 fathoms (120 feet) in depth shall not be set prior to sunrise and must be



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removed from the water prior to sunset on the same day.

(Source: Emergency amendments at 17 Ill. Reg. 17263  
effective September 23, 1993, for a maximum of 150 days)

## POLLUTION CONTROL BOARD

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- 1) Heading of the Part: Solid Waste
- 2) Code Citation: 35 Ill. Adm. Code 807
- 3) Section Numbers: Emergency Action:  
807.106 Added
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, par. 5-45 [5 ILCS 100/5-45] and Ill. Rev. Stat. 1991, ch. 111½, pars. 1005, 1021.1, 1022 and 1027 [415 ILCS 5/5, 5/21.1, 5/22 and 5/27].
- 5) Effective Date of Amendments: September 24, 1993
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: It will remain effective for the full 150 days; it will not expire before that time.
- 7) Date filed in the agency's principal office: September 23, 1993.
- 8) Reason for emergency:  
The recent flooding of the Mississippi River and its tributaries has resulted in numerous dead animals that have accumulated in areas affected by flooding. The purpose of the rule is to allow the burial, without permit but subject to conditions to protect human health and the environment, of dead animals on the property on which they are found in all designated state and federal flood "disaster area" counties.  
The Board finds that the existence of this large volume of un-managed flood waste has created a situation in which adoption of a regulatory exemption allowing the burial of dead animal flood waste without a permit is necessary in a shorter time than required by Ill. Rev. Stat. 1991 ch. 127, par. 1005-40 [5 ILCS 100/5-40 (1992)]. The existence of the unmanaged waste creates a situation that the Board finds reasonably constitutes a threat to the public interest, safety, or welfare of persons in the affected areas pursuant to Ill. Rev. Stat. 1991 ch. 111½, par. 1027(c) [415 ILCS 5/27(c) (1992)] and Ill. Rev. Stat. 1991 ch. 127, par. 1005-45 [5 ILCS 100/5-45 (1992)].
- 9) A complete description of the subjects and issues involved:

## POLLUTION CONTROL BOARD

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The Board received a proposal for emergency rulemaking from the Illinois Environmental Protection Agency on September 5, 1993. The Board docketed that proposal as R93-25. A lengthier description of this proposal is contained in the Board's opinion and order of September 23, 1993, available from the Clerk at the address below.

The purpose of the Agency's proposal is to allow the burial, without permit but subject to conditions designated to protect human health and the environment, of dead animals on the property upon which they are found in all designated state and federal "disaster area" counties which have been impacted by the recent flooding of the Mississippi River and its tributaries. As of September 15, forty-three (43) counties had been so designated: Adams, Alexander, Boone, Brown, Calhoun, Carroll, Cass, Cook, Dupage, Fulton, Greene, Hancock, Henderson, Henry, Jackson, Jersey, Jo Daviess, Kane, Knox, Lake, Lee, Madison, Mason, Massac, McHenry, Mercer, Monroe, Morgan, Ogle, Peoria, Pike, Pope, Pulaski, Randolph, Rock Island, Schuyler, Scott, Stephenson, St. Clair, Union, Warren, Whiteside and Winnebago.

In prior regulatory proceedings the Board has given exhaustive consideration to the dangers to public health posed by unmanaged waste, which may become a breeding ground for disease vectors including mosquitoes, vermin and birds. The decomposition of unmanaged putrescible wastes can lead to contamination of surface water and groundwater. The sheer volume of waste created by the recent flooding which must be relatively quickly and efficiently handled is unprecedented in the state's history and, more specifically in the Board's 23-year history. While landfill disposal of all flood-generated wastes may be possible given extended periods of time and unlimited funds, this disposal must be made at the same time that individuals and governments are struggling to restore essential community elements and services including drinking water supplies and sewage treatment systems, housing and medical facilities, and highways and bridges. The rule as proposed by the Agency and adopted by the Board will allow for environmentally sound disposal of dead animals, but will not require compliance with the full range of standards applicable to general household waste (which often contains chemicals which require disposal with greater environmental precautions). The emergency exemption is from rules in 35 Ill. Adm. Code Parts 807 through 815.

The Board finds pursuant to Ill. Rev. Stat. 1991 ch. 111½,

## POLLUTION CONTROL BOARD

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par. 1027(c) [415 ILCS 5/27(c) (1992)] and Ill. Rev. Stat. 1991 ch. 127, par. 1005-45 [5 ILCS 100/5-45 (1992)] that a "situation exists which reasonably constitutes a threat to the public interest, safety or welfare".

10) Are there any other amendments pending on this part? No.

11) Statement of statewide policy objectives:

The statewide policy behind the emergency amendment is stated in Section 22 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, par. 1022 [415 ILCS 5/22] and Section 5-45 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 5-45 [5 ILCS 100/5-45])). Rather than impose additional burden on any unit of local government, the Board believes the emergency amendment will provide regulatory relief to facilitate disposal of flood-generated dead animal waste.

12) Time, Place and Manner in which interested persons may comment on this emergency rulemaking:

Address all comments to the following person:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

Refer all questions to the following person:

Kathleen M. Crowley  
312-814-6929

Please refer to the docket number, R93-25, in all correspondence.

The full text of the emergency amendment begins on the next page:

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

## PART 807

## SOLID WASTE

## SUBPART A: GENERAL PROVISIONS

## Section

807.101 Authority, Policy and Purposes

807.102 Repeals

807.103 Severability

807.104 Definitions

807.105 Relation To Other Rules

807.106 Emergency Exemption for On-Site Burial of Dead Animals  
EMERGENCY in Flood-Disaster Counties

## SUBPART B: SOLID WASTE PERMITS

## Section

807.201 Development Permits

807.202 Operating Permits

807.203 Experimental Permits

807.204 Former Authorization

807.205 Applications for Permit

807.206 Permit Conditions

807.207 Standards for Issuance

807.208 Permit No Defense

807.209 Permit Revision

807.210 Supplemental Permits

807.211 Transfer of Permits

807.212 Permit Revocation

807.213 Design, Operation, and Maintenance Criteria

807.214 Revised Cost Estimates

## SUBPART C: SANITARY LANDFILLS

## Section

807.301 Prohibition

807.302 Compliance with Permit

807.303 Methods of Operation

807.304 Equipment, Personnel and Supervision

807.305 Cover

807.306 Litter

807.307 Salvaging

807.308 Scavenging

## POLLUTION CONTROL BOARD

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## Animal Feeding

## 807.309 Special Wastes

## 807.310 Open Burning

## 807.311 Air Pollution

## 807.312 Water Pollution

## 807.313 Standard Requirements

## 807.314 Protection of Waters of the State

## 807.315 Application

## 807.316 Operating Records

## 807.317 Completion or Closure Requirements

## 807.318

## SUBPART E: CLOSURE AND POST-CLOSURE CARE

## Section

807.501 Purpose, Scope and Applicability

807.502 Closure Performance Standard

807.503 Closure Plan

807.504 Amendment of Closure Plan

807.505 Notice of Closure and Final Amendment to Plan

807.506 Initiation of Closure

807.507 Partial Closure

807.508 Certification of Closure

807.509 Use of Waste Following Closure

807.523 Post-Closure Care Plan

807.524 Implementation and Completion of Post-Closure Care Plan

## SUBPART F: FINANCIAL ASSURANCE FOR CLOSURE AND POST-CLOSURE CARE

## Section

807.600 Purpose, Scope and Applicability

807.601 Requirement to Obtain Financial Assurance

807.602 Time for Submission of Financial Assurance

807.603 Upgrading Financial Assurance

807.604 Release of Financial Institution

807.605 Application of Proceeds and Appeal

807.606 Release of the Operator

807.620 Current Cost Estimate

807.621 Cost Estimate for Closure

807.622 Cost Estimate for Post-closure Care

807.623 Biennial Revision of Cost Estimate

807.624 Interim Formula for Cost Estimate

807.640 Mechanisms for Financial Assurance

807.641 Use of Multiple Financial Mechanisms

807.642 Use of Financial Mechanism for Multiple Sites

807.643 Trust Fund for Unrelated Sites

807.644 RCRA Financial Assurance

807.661 Trust Fund

807.662 Surety Bond Guaranteeing Payment



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807.663 Surety Bond Guaranteeing Performance  
 807.664 Letter of Credit  
 807.665 Closure Insurance  
 807.666 Self-insurance for Non-commercial Sites

## SUBPART G: SITE-SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section  
 807.700 Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site

## APPENDIX A Financial Assurance Forms

ILLUSTRATION A Trust Agreement  
 ILLUSTRATION B Certificate of Acknowledgment  
 ILLUSTRATION C Forfeiture Bond  
 ILLUSTRATION D Performance Bond  
 ILLUSTRATION E Irrevocable Standby Letter of Credit  
 ILLUSTRATION F Certificate of Insurance for Closure and/or Post-Closure Care  
 ILLUSTRATION G Operator's Bond Without Surety  
 ILLUSTRATION H Operator's Bond With Parent Surety  
 ILLUSTRATION I Letter from Chief Financial Officer

## APPENDIX B Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 21.1 and 22 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021.1, 1022 and 1027) [415 ILCS 5/5, 5/21.1, and 5/27 (1992)].

SOURCE: Adopted as an emergency rule and filed with the Secretary of State July 27, 1973; amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified from Subchapter h to Subchapter i at 8 Ill. Reg. 13198; emergency amendment in R84-22A at 9 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988; amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in R93-25 at 17 Ill. Reg. 17268, effective September 24, 1993 for a maximum of 150 days.

## SUBPART A: GENERAL PROVISIONS

Section 807.106 Emergency Exemption For On-Site  
 EMERGENCY Burial of Dead Animals in Flood-Disaster

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## Counties

a) This emergency exemption applies to counties that have been declared federal or state disaster areas due to flooding during the summer of 1993.

BOARD NOTE: As of the effective date of this Section, the following counties have been declared federal or state disaster areas: Adams, Alexander, Boone, Brown, Calhoun, Carroll, Cass, Cook, DuPage, Fulton, Greene, Hancock, Henderson, Henry, Jackson, Jersey, Jo Daviess, Kane, Knox, Lake, Lee, Madison, Mason, Massac, McHenry, Mercer, Monroe, Morgan, Ogle, Peoria, Pike, Pope, Pulaski, Randolph, Rock Island, Schuyler, Scott, Stephenson, St. Clair, Union, Warren, Whiteside and Winnebago.

b) The burial of bodies or parts of bodies of dead animals, poultry, or fish on the property upon which they are found is exempt from the provisions of this Part and from 35 Ill. Adm. Code 808 through 815.

c) Notwithstanding subsection (b), no person shall bury bodies or parts of bodies of dead animals, poultry or fish:

- 1) so as to cause or threaten to cause water pollution in violation of Section 12 of the Act;
- 2) within 200 feet from the nearest potable water supply well; or
- 3) within 1 foot of the water table.

d) Any person who disposes of bodies or parts of bodies of dead animals, poultry or fish shall comply with the Illinois Dead Animal Disposal Act. (Ill. Rev. Stat. 1991, ch. 8, pars. 149-167(a) [225 ILCS 610/1.2-19(a) (1992)] and 8 Ill. Adm. Code 90.

e) This exemption does not apply to bodies or parts of dead animals, poultry or fish removed from the property upon which they are found.

(Source: Emergency rule added at 17 Ill. Reg. 17268, effective September 24, 1993 for a maximum of 150 days)

1) Heading of the Part: Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)

2) Code Citation: 89 Ill. Adm. Code 149

3) Section Numbers: Emergency Action:

149.5, 149.10, 149.25	Amendment
149.50, 149.75, 149.100	Amendment
149.105, 149.125, 149.140	Amendment
149.150	Amendment

4) Statutory Authority: Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3, 4, 5, 6, 7 and 12-13] and Public Act 88-88, effective July 14, 1993.

5) Effective Date of Amendments: October 1, 1993

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date Filed in Agency's Principal Office: October 1, 1993

8) Reason for Emergency: These emergency amendments are being adopted to implement revised hospital reimbursement policies effective October 1, 1993. Most of these changes are being made pursuant to the provisions of Public Act 88-88, which specifically authorizes the Department to use emergency rulemaking to implement its provisions. Additional changes in these amendments are based on the provisions of Public Act 88-85 and on agreements which have been reached with the hospital industry and affected hospitals. These provisions and agreements specify that the changes are effective October 1, 1993, or as otherwise specified in these amendments. Finally, clarifications have been made to make these rules consistent with other program initiatives being implemented by the Department at this time. In order for the Department's hospital reimbursement system to work smoothly for the benefit of providers and clients, these changes must also be effective October 1, 1993. Corresponding amendments to these emergency amendments have been proposed for public comment, and were published in the Illinois Register on September 24, 1993.

9) Complete Description of the Subjects and Issues Involved: The Department of Public Aid is adopting extensive changes in its rules governing payment under the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149) on an emergency basis. These amendments specify a methodology for the payment of hospitals, which is an

alternative to the methodologies included in the Department's hospital services rules (89 Ill. Adm. Code 148). These emergency changes are required to update the rules for implementation of the revised reimbursement procedures which take effect on October 1, 1993, under Public Act 88-88. Since changes are being made to most aspects of hospital reimbursement under these amendments, all of the changes cannot be summarized here in detail. Interested persons should therefore review the amendments closely.

The substantive changes are as follows:

- Effective October 1, 1993, inpatient hospital reimbursement for hospitals reimbursed under the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149) will be maintained at the rate in effect on June 30, 1993, with certain exceptions. Effective on and after April 1, 1994, inpatient hospital reimbursement rates for hospitals reimbursed under the above Part will be recalculated in accordance with the new provisions contained in these emergency amendments.
- Many of the changes reflect additions to, or clarification of, definitions utilized by the Department with respect to hospital reimbursement.
- Many of the changes clarify current reimbursement policies.
- Section 149.100 (Basic Methodology for Determining DRG Prospective Payment Rates) has been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, a number changes will take place in the reimbursement methodology as follows:
  - Reimbursement rates will be calculated on April 1, 1994, using the methodologies described in this emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.
  - Hospitals deemed as rural hospitals as of July 14, 1993, that were not previously deemed as rural hospitals at the beginning of the rate period (October 1, 1992) and will be treated as sole community hospitals under the methodology described in this emergency amendment, and that elect to be reimbursed under the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code Part 149), will be reimbursed in



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accordance with the methodologies described in these emergency amendments.

Estimated annual aggregate inpatient spending resulting from these changes is expected to remain unchanged.

- Section 149.105 (Payment for Outlier Cases) has been revised to reflect a change in the rate period beginning on October 1, 1992, which has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, outlier payment adjustments will be calculated on April 1, 1994, using the methodologies described in these emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.

Estimated annual aggregate inpatient spending resulting from these changes is expected to decrease by approximately \$125,000.

- Section 149.125 (Special Treatment of Certain Facilities) has been revised to reflect a change in the criteria for qualification as a sole community hospital as described in these emergency amendments.

Section 149.125 has also been revised to reflect a change in the rate period, and the rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, sole community hospital designation will be determined on April 1, 1994, using the methodology described in this emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.

Estimated annual aggregate inpatient spending resulting from these changes is expected to remain unchanged.

- Section 149.140 (Methodology for Determining Primary Care Access Health Care Education Payments) contains extensive revisions. These revisions:

- Reflect a change in the rate periods as described in these emergency amendments.
- Amend the criteria for qualification for, and the payment methodology for calculation of, the primary care access health care education payments.
- Require that qualified hospitals provide documentation of actual

rotation time spent in qualified rotation settings as well as verification that certain facilities meet the proposed requirements of a qualified rotation setting, provide the names and program year of individual residents, and provide data maintained for residency review committees.

- Establish a ceiling on the aggregate payments that may be made with respect to the Primary Care Access Health Care Education Program.
- Establish an appeals process allowing hospitals the opportunity to request and receive a review of the payment and adjustment amounts calculated by the Department under the provisions of these emergency amendments.

Estimated annual aggregate inpatient spending resulting from these changes is expected to remain unchanged.

- Section 149.150 (Payments to Hospitals Under the DRG Prospective Payment System) has been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, a number changes will take place in the reimbursement methodology as follows:

- Reimbursement rates will be calculated on April 1, 1994, using the methodologies described in this emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.

- For rate periods beginning on or after April 1, 1994, payments for capital, direct medical education, indirect medical education, and Certified Registered Nurse Anesthetist (CRNA) costs will be made on a per diem, rather than a per case basis.

- For the calculation of direct medical education costs, hospitals will be separated into two peer groups, major teaching hospitals and other teaching hospitals. The adjusted direct medical education cost per diem for all hospitals in each peer group will be calculated by utilizing the direct medical education cost per diems that were in effect on June 30, 1993. The adjusted direct medical education cost per diem will be rank ordered for all hospitals reporting such costs within each peer group, and capped at the 80th percentile. Hospitals will receive a per diem add-on for direct medical education costs in



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accordance with the methodology described in this emergency amendment.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately \$5.9 million.

10) Are there any Proposed Amendments pending to this Part? Yes

Sections	Proposed Action	Illinois Register Citation
149.5	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.10	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.25	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.50	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.75	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.100	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.105	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.125	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.140	Amendment	September 24, 1993 (17 Ill. Reg. 15243)
149.150	Amendment	September 24, 1993 (17 Ill. Reg. 15243)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Joanne Jones  
 Address: Bureau of Rules and Regulations  
 Illinois Department of Public Aid  
 100 South Grand Avenue East, Third Floor  
 Springfield, Illinois 62762  
 Telephone: (217) 524-3215

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
 CHAPTER I: DEPARTMENT OF PUBLIC AID  
 SUBCHAPTER d: MEDICAL PROGRAMS

## PART 149

DIAGNOSIS RELATED GROUPING (DRG)  
 PROSPECTIVE PAYMENT SYSTEM (PPS)

Section	
149.5	Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)
EMERGENCY	
149.10	Applicability of Other Provisions
EMERGENCY	
149.25	General Provisions
EMERGENCY	
149.50	Hospital Services Subject to and Excluded from the DRG Prospective Payment System
EMERGENCY	
149.75	Conditions for Payment Under the DRG Prospective Payment System
EMERGENCY	
149.100	Basic Methodology for Determining DRG Prospective Payment Rates
EMERGENCY	
149.105	Payment For Outlier Cases
EMERGENCY	
149.125	Special Treatment of Certain Facilities
EMERGENCY	
149.140	Methodology for Determining Primary Care Access Health Care Education Payments
EMERGENCY	
149.150	Payments to Hospitals Under the DRG Prospective Payment System
EMERGENCY	
149.175	Payments to Contracting Hospitals (Repealed)
149.200	Admitting and Clinical Privileges (Repealed)
149.205	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Repealed)
149.225	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed)
149.250	Contract Monitoring (Repealed)
149.275	Transfer of Recipients (Repealed)
149.300	Validity of Contracts (Repealed)
149.305	Termination of ICARE Contracts (Repealed)
149.325	Hospital Services Procurement Advisory Board (Repealed)

AUTHORITY: Implementing Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3, 4, 5, 6, 7, and 12-13].

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SOURCE: Recodified from 89 Ill. Adm. Code 140.940 thru 140.972 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 12095, effective July 15, 1988; amended at 13 Ill. Reg. 554, effective January 1, 1989; amended at 13 Ill. Reg. 15070, effective September 15, 1989; amended at 15 Ill. Reg. 1826, effective January 28, 1991; emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 6195, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11937, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14733, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19868, effective December 7, 1992; amended at 17 Ill. Reg. 3217, effective March 1, 1993; emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 149.5  
EMERGENCY      Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)

a) Sections 149.25 through 149.150 describe:

- a)1) The basis of payment for inpatient hospital services under the DRG PPS and ~~sets~~ set forth the general basis for the system;
- b)2) Classifications of hospitals that are included and excluded from the DRG PPS and the requirements governing inclusion or exclusion of hospitals in the system as a result of changes in their classification;
- e)3) Conditions that must be met for a hospital to receive payment under the DRG PPS;
- f)4) The methodology by which DRG prospective rates are determined;
- e)5) The methodology for determining additional payments for outlier cases;
- f)6) The rules for special treatment of certain facilities; and
- f)7) The types, amounts and methods of payment to hospitals under the DRG PPS.
- b)8) Notwithstanding any other provisions of this Part, reimbursement to hospitals for services provided ~~July 1, 1992 through September 30, 1992~~ October 1, 1992, through March 31, 1994, shall be as follows:
  - 1) Base Inpatient Payment Rate. For inpatient hospital services rendered, or, if applicable, for inpatient hospital admissions

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Section 149.5(b)(1) (continued)

occurring, on and after ~~July 1, 1992~~, October 1, 1992, and on or before ~~September 30, 1992~~, March 31, 1994, the Department shall reimburse hospitals for inpatient services ~~under the reimbursement methodologies in effect for each hospital, and at the base inpatient payment rate calculated for each hospital, as of June 30, 1992~~ June 30, 1993. The term "base inpatient payment rate" shall include the reimbursement rates calculated effective October 1, 1992, under Part 149.

2) Exceptions. The provisions of subsection (b)(1) above shall not apply to:

- A) Hospitals reimbursed under 89 Ill. Adm. Code 148.82, 148.160, or 148.170. Reimbursement for such hospitals shall be in accordance with 89 Ill. Adm. Code 148.82, 148.160, or 148.170, as applicable.
- B) Hospitals reclassified as rural hospitals as described in 89 Ill. Adm. Code 148.40(f)(4). Reimbursement for such hospitals shall be in accordance with 89 Ill. Adm. Code 148.40(f)(4) and 148.260, or Section 149.100(c)(1)(A), whichever is applicable.
- C) The inpatient payment adjustments described in 89 Ill. Adm. Code 148.120, 148.150, and 148.290. Reimbursement for such inpatient payment adjustments shall be in accordance with 89 Ill. Adm. Code 148.120, 148.150, and 148.290, and shall be in addition to the base inpatient payment rate described in subsection (b)(1) above.
- 2) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for targeted access and critical care as defined by the Department on June 30, 1992, the payment adjustment for the period July 1, 1992 through September 30, 1992, shall be 25 percent of the annual adjustment calculated for each hospital as of June 30, 1992.
- 3) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for uncompensated care as defined by the Department on June 30, 1992, the payment adjustment for the period August 1, 1992 through September 30, 1992, shall be one-eighth of the total uncompensated care payment adjustment calculated for each eligible hospital for the uncompensated care rate year as defined by the Department, ending on July 31, 1992.

Section 149.5 (continued)

c) Definitions

Unless specifically stated otherwise, the definitions of terms used in this Part are as follows:

- 1) "DRG grouper" means:
- A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the HCFA Medicare DRG grouper in effect on September 1, 1992, adjusted for differences in Medicare and Medicaid policies and populations, as described in Section 149.100(a)(1).
- B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the HCFA Medicare DRG grouper which is in effect 90 days prior to the date of admission, adjusted for differences in Medicare and Medicaid policies and populations, as described in Section 149.100(a)(1).
- 2) "Medicare weighting factor" means:
- A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the Medicare DRG weighting factors in effect on September 1, 1992, adjusted for differences in Medicare and Medicaid policies and populations, as described in Section 149.100(a)(2).
- B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the Medicare DRG weighting factors in effect 90 days prior to the date of admission, adjusted for differences in Medicare and Medicaid policies and populations, as described in Section 149.100(a)(2).
- 3) "PPS Pricer" means:
- A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the HCFA Medicare PPS Pricer, Version 92.0.
- B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the HCFA Medicare PPS Pricer version that is in effect 90 days prior to the date of admission.

(Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.10 Applicability of Other Provisions  
EMERGENCY

The following provisions, in addition to those provisions specifically cited in this Part, shall apply to hospitals reimbursed under the DRG PFS:

- a) Participation, as described in 89 Ill. Adm. Code 148.20.
- b) Definitions and Applicability, as described in 89 Ill. Adm. Code 148.25.
- b)c) General requirements, as described in 89 Ill. Adm. Code 148.30.
- e)d) Special requirements, as described in 89 Ill. Adm. Code 148.40.
- d)e) Covered hospital services, as described in 89 Ill. Adm. Code 148.50.
- e)f) Services not covered as hospital services, as described in 89 Ill. Adm. Code 148.60.
- f)g) Limitations on hospital services, as described in 89 Ill. Adm. Code 148.70.
- g)h) Hospital outpatient and hospital-based clinic services, as described in 89 Ill. Adm. Code 148.140.
- h)i) Payment for pre-operative days, patient specific orders, and services which can be performed in an outpatient setting, as described in 89 Ill. Adm. Code 148.180.
- i)j) Copayments, as described in 89 Ill. Adm. Code 148.190.
- j)k) Filing cost reports, as described in 89 Ill. Adm. Code 148.210.
- k)l) Review procedure, as described in 89 Ill. Adm. Code 148.310.
- (Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.25 General Provisions  
EMERGENCY

- a) Basis of Payment
- 1) Payment on a Per Discharge Basis
- A) Under the DRG PFS, hospitals are paid a predetermined



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## Section 149.25(a)(1)(A) (continued)

amount per discharge for inpatient hospital services furnished to persons receiving coverage under the Medicaid Program.

- B) The DRG prospective payment rate for each discharge (as defined in subsection (b) below) is determined according to the methodology described in Sections 149.100 and 149.150, as appropriate. An additional payment is made, in accordance with Sections 149.105, 149.125 and 149.140, as appropriate. The rates paid shall be those in effect on the date of admission.

## 2) Payment in Full

- A) The DRG prospective payment amount paid for inpatient hospital services is the total Medicaid payment for the inpatient operating costs (as described in subsection (a)(3) below) incurred in furnishing services covered under the Medicaid Program.
- B) Except as provided for in subsection (b) below, the full DRG prospective payment amount, as determined under Sections 149.100 and 149.150, as appropriate, is made for each stay during which there is at least one Medicaid eligible day of care.

## 3) Inpatient Operating Costs. The DRG PPS provides a payment amount for inpatient operating costs, including:

- A) Operating costs for routine services (as described in 42 CFR 413.53(b), revised as of September 1, 1990), such as the costs of room, board, and routine nursing services;
- B) Operating costs for ancillary services, such as radiology and laboratory services furnished to hospital inpatients;
- C) Special care unit operating costs (intensive care type unit services as described in 42 CFR 413.53(b), revised as of September 1, 1990); and
- D) Malpractice insurance costs related to services furnished to inpatients.
- E) Hospital-based physician costs as described in Section 149.75(h)(1)(A).

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## Section 149.25(a) (continued)

- 4) Excluded Costs/Services. The following inpatient hospital costs are excluded from the DRG prospective payment amounts:

- A) ~~Inpatient~~ Transplantation costs, including acquisition costs incurred by approved transplantation centers as described in 89 Ill. Adm. Code ~~148.80~~ 148.82. Kidney and cornea transplant costs shall be reimbursed under the appropriate methodology described in Sections 149.100 and 149.150 or in 89 Ill. Adm. Code 148.160, 148.170 or 148.250 through 148.300. Kidney acquisition costs shall be reimbursed in accordance with Section 149.150(c)(5).
- B) Costs of psychiatric services incurred by a provider enrolled with the Department to provide those services (category of service 21). Such services shall be reimbursed under 89 Ill. Adm. Code 148.270(b).
- C) Costs of nonemergency psychiatric services incurred by a provider that is not enrolled with the Department to provide those services (category of service 21). Such services shall not be eligible for reimbursement.
- D) Costs of emergency psychiatric services exceeding the maximum of three days emergency treatment incurred by a provider that is not enrolled with the Department to provide those services (DRGs 424-432). Such services exceeding the maximum of 3 ~~three~~ days shall not be eligible for reimbursement.
- E) Costs of physical rehabilitation services incurred by a provider enrolled with the Department to provide those services (category of service 22). Such services shall be reimbursed under 89 Ill. Adm. Code 148.270(b).
- F) Costs of rehabilitation for drug and alcohol abuse (DRG 436 and that part of DRG 437 apportioned to rehabilitation). Such services shall be reimbursed under 89 Ill. Adm. Code 148.340 through 148.390.
- 5) Additional Payments to Hospitals. In addition to payments based on the DRG prospective payment rates, hospitals will receive payments for the following:
- A) Atypically long or extraordinarily costly (outlier) ~~case~~ cases, as described in Section 149.105.

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## Section 149.25(a)(5) (continued)

- B) Certain costs excluded from the prospective payment rate under subsection (a)(4) above.
- C) The cost of serving a disproportionately high share of low income patients (as defined and determined in Section 149.125 149.125(a)(2)).
- D) Uncompensated care costs (as defined and determined in Section 149.125 149.125(a)(3)).
- E) ~~Prostate-center-costs~~ Specific inpatient payment adjustments (as defined and determined in Section 149.125 149.125(a)(4)).
- F) Health care education payments (as defined and determined in Section 149.140).
- G) Certified registered nurse anesthetist (CRNA) costs in accordance with Section 149.150(c)(3).
- H) Kidney acquisition costs in accordance with Section 149.150(c)(5).

## b) Discharges and Transfers

- 1) Discharges. A hospital inpatient is considered discharged when any of the following occurs:
  - A) The patient is formally released from the hospital, except when the patient is transferred to another hospital or a distinct part unit as described in Section 149.50(d) (see subsection (b)(2) below).
  - B) The patient dies in the hospital.
- 2) Transfers. A hospital inpatient is considered transferred when the patient is placed in the care of another hospital or a distinct part unit as described in Section 149.50(d).
- 3) Payment in Full to the Discharging Hospital. The hospital discharging an inpatient (subsection (b)(1)(A) above) is paid in full, in accordance with subsection (a)(2) above, unless the discharging hospital or distinct part unit is excluded from the DRG PPS as described in Section 149.50(b), (c) and (d). In the event the discharging hospital or distinct part unit is excluded

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## NOTICE OF EMERGENCY AMENDMENTS

## Section 149.25(b)(3) (continued)

- or exempted from the DRG PPS, that hospital or distinct part unit shall receive payment in full in accordance with 89 Ill. Adm. Code 148.160, 148.170 or 148.250 through 148.300.
- 4) Payment to a Hospital Transferring an Inpatient to Another Hospital or Distinct Part Unit
  - A) A hospital reimbursed under the DRG PPS that transfers an inpatient, under the circumstances described in subsection (b)(2), is paid a per diem rate for each day of the patient's stay in that hospital but the total reimbursement shall not exceed the amount that would have been paid under Section 149.100 if the patient had been discharged. The per diem rate is determined by dividing the appropriate prospective payment rate (as determined under Section 149.100) by the geometric length of stay for the specific DRG to which the case is classified.
  - B) Except, if a discharge is classified into DRGs 385 or 985 (neonates, died or transferred to another acute care facility) or DRG 456 (burns, transferred to another acute care facility), and the hospital is reimbursed under the DRG PPS, the transferring hospital is paid in accordance with subsection (a)(2).
  - C) A transferring hospital reimbursed under the DRG PPS may qualify for an additional payment for extraordinarily high cost cases that meet the criteria for cost outliers as described in Section 149.105.
  - D) A hospital or distinct part unit excluded from the DRG PPS, as described in Section 149.50(b), (c) or (d), that transfers an inpatient under the circumstances described in subsection (b)(2) of this Section, is reimbursed in accordance with 89 Ill. Adm. Code 148.160, 148.170 or 148.250 through 148.300.
  - c) Admissions Prior to September 1, 1991. With respect to admissions prior to September 1, 1991, hospitals will receive their per diem reimbursement rate that was in effect July 1, 1991, for each covered day of care provided through the discharge of the patient.
  - d) DRG Classification System

- 1) ~~For rate periods beginning on or after October 1, 1992, the The~~

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## Section 149.25(d)(1) (continued)

Department will utilize the DRG Grouper, as described in Section 149.5(c)(1), HGA-Medicare-Grouper, Version-9.0, modified to handle additional DRGs and revised ICD-9-CM codes, as defined by the Department, to place claims into DRG payment classifications.

- 2) The Department will define additional DRGs that, for hospitals designated as Level III perinatal centers by the Illinois Department of Public Health, replace DRG 385 (neonates, died or transferred to another acute care facility), DRG 386 (extreme immaturity or respiratory distress syndrome, neonate), DRG 387 (prematurity with major problems) and DRG 389 (full term neonate with major problems).

(Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.50  
EMERGENCY

Hospital Services Subject to and Excluded from the DRG Prospective Payment System

- a) Hospital Services Subject to the DRG Prospective Payment System

- 1) Except for services described in Section 149.25(a)(4) and subsection (b)(2) below, all covered inpatient hospital services furnished to persons receiving coverage under the Medicaid Program are paid for under the DRG PPS.

- 2) Inpatient hospital services will not be paid for under the DRG PPS under any of the following circumstances:

- A) The services are furnished by a hospital (or distinct part hospital unit) explicitly excluded from the DRG PPS under subsections (c) through (d).
- B) The services are furnished by a nonparticipating out-of-state hospital (as described in subsection (c)(5)).
- C) The services are furnished by a hospital that elects to be reimbursed under special arrangements (as described in subsection (c)(6)) in the transition period of DRG PPS implementation.
- D) The services are furnished by a sole community hospital (as defined in Section 149.125(b)) that has elected to be exempted from the DRG PPS in accordance with subsection (c)(7).

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## Section 149.50(a)(2) (continued)

- E) The payment for services is covered by a health maintenance organization (HMO).

- b) Excluded and Exempted Hospitals and Hospital Units: General Rules

- 1) Criteria. A hospital will be excluded from the DRG PPS if it meets the criteria for one or more of the classifications described in subsection (c) below.
- 2) Alternate Reimbursement System. All excluded hospitals (and excluded distinct part hospital units, as described in subsection (d) below) are reimbursed under the Alternate Reimbursement Systems set forth in 89 Ill. Adm. Code 148.250 through 148.300 with the exception of those hospitals described in subsection (c)(8). The hospitals described in subsection (c)(8) are reimbursed in accordance with 89 Ill. Adm. Code 148.160 or 148.170, as appropriate.

- c) Excluded Hospitals: Classifications. Hospitals that meet the requirements for the classifications set forth in this Section may not be reimbursed under the DRG Prospective Payment System.

- 1) Psychiatric Hospitals. A psychiatric hospital must:

- A) Be primarily engaged in providing, by or under the supervision of psychiatrist, psychiatric services for the diagnosis and treatment of mentally ill persons; and
- B) Be enrolled with the Department as a psychiatric hospital to provide inpatient psychiatric services (category of service 21) and have a Provider Agreement to participate in the Medicaid Program.

- 2) Rehabilitation Hospitals. A rehabilitation hospital must:

- A) Hold a valid license as a physical rehabilitation hospital; and
- B) Be enrolled with the Department as a rehabilitation hospital to provide inpatient rehabilitation services (category of service 22) and have a Provider Agreement to participate in the Medicaid Program.
- 3) Children's Hospitals. A children's hospital must:



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## Section 149.50(c)(3) (continued)

A) ~~Be engaged in furnishing services to inpatients who are predominantly individuals under 18 years of age. Be a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children; and~~

B) Have a Provider Agreement to participate in the Medicaid Program.

4) Long Term Stay Hospitals. A long term stay hospital must:

A) Not be a psychiatric hospital, as described in subsection (c)(1) above, a rehabilitation hospital as described in subsection (c)(2) above, or a children's hospital as described in subsection (c)(3) above and must have an average length of inpatient stay greater than 25 days: as computed by dividing the number of total inpatient days (less leave or pass days) by the number of total discharges for the most recent State fiscal year (i.e., Fiscal Year 1991 for Fiscal Year 1992 payments) for which complete information is available; and

B) Have a Provider Agreement to participate in the Medicaid Program.

5) Hospitals Outside of Illinois that are Exempt from Cost Reporting Requirements. A hospital is excluded from the DRG PPS if it meets the following definition: a nonparticipating out-of-state hospital is a hospital from out-of-state an out-of-state hospital that provides fewer than 100 Illinois Medicaid days annually, that does not elect to be reimbursed under this Part (the DRG Prospective Payment System), and that does not file an Illinois Medicaid cost report.

6) Hospitals Reimbursed Under Special Arrangements. Hospitals that, on August 31, 1991, had a contract with the Department under the ICARE Program, pursuant to Section 3-4 of the Illinois Health Finance Reform Act, may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care for services provided on or after September 1, 1991, subject to the limitations described in 89 Ill. Adm. Code 148.40(e) through 148.40(f) through 148.40(h).

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## Section 149.50(c) (continued)

7) Sole Community Hospitals. Hospitals described in Section 149.125(b), which have elected to be exempted from the DRG PPS, subject to the limitations described in 89 Ill. Adm. Code 148.40(e) through 148.40(g) 148.40(f) through 148.40(h).

8) County-Owned Hospitals and State-Owned Hospitals. County-owned hospitals and State-owned hospitals located in an Illinois county with a population greater than three million are excluded from the DRG system and are reimbursed under unique hospital-specific reimbursement methodologies as described in 89 Ill. Adm. Code 148.160 and 148.170.

d) Excluded Distinct Part Hospital Units.

1) Distinct Part Psychiatric Units. With the exception of those hospitals described in subsections (c)(1) through (c)(8), a hospital enrolled with the Department to provide inpatient psychiatric services (category of service 21) shall be excluded from the DRG PPS for the reimbursement of such inpatient psychiatric services and shall be reimbursed in accordance with 89 Ill. Adm. Code 148.270(b).

2) Distinct Part Rehabilitation Units. With the exception of those hospitals described in subsections (c)(1) through (c)(8), a hospital enrolled with the Department to provide inpatient rehabilitation services (category of service 22) shall be excluded from the DRG PPS for the reimbursement of such inpatient rehabilitation services and shall be reimbursed in accordance with 89 Ill. Adm. Code 148.270(b).

(Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.75 Conditions for Payment Under the DRG Prospective Payment System  
EMERGENCY

a) General Requirements

1) A hospital must meet the conditions of this Section to receive payment under the DRG PPS for inpatient hospital services furnished to persons receiving coverage under the Medicaid Program.

2) If a hospital fails to comply fully with these conditions with

## DEPARTMENT OF PUBLIC AID

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## Section 149.75(a)(2) (continued)

respect to inpatient hospital services furnished to one or more Medicaid clients, the Department may, as appropriate:

- A) Withhold Medicaid payment (in full or in part) to the hospital until the hospital provides adequate assurances of compliance; or
- B) Terminate the hospital's Provider Agreement.

- b) Hospital Utilization Control. Hospitals and distinct part units that participate in Medicare (Title XVIII) must use the same utilization review standards and procedures and review committee for Medicaid as they use for Medicare. Hospitals and distinct part units that do not participate in Medicare (Title XVIII) must meet the utilization review plan requirements in 42 CFR, Ch. IV, Part 456, Subparts C, D, or E (October 1, 1991). Utilization control requirements for inpatient psychiatric hospital care in a psychiatric hospital, as defined in Section 149.50(c)(1), shall be in accordance with federal regulations at 42 CFR, Ch. IV, Part 456, Subpart G (October 1, 1991).

- c) Medical Review Requirements: Admissions and Quality Review

Hospital utilization review committees, a subgroup of the utilization review committee, or the hospital's designated professional review organization (PRO) shall review, on an ongoing basis, the following:

- 1) The medical necessity, reasonableness and appropriateness of inpatient hospital admissions and discharges.
- 2) The medical necessity, reasonableness and appropriateness of inpatient hospital care for which additional payment is sought under the outlier provisions of Section 149.105.
- 3) The validity of the hospital's diagnostic and procedural information.
- 4) The completeness, adequacy and quality of the services furnished in the hospital.
- 5) Other medical or other practices with respect to program participants or billing for services furnished to program participants.

- d) Medical Review Requirements: DRG Validation

- 1) Physician attestation. Beginning with admissions on or after

## DEPARTMENT OF PUBLIC AID

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## Section 149.75(d)(1) (continued)

September 1, 1991, for which the discharge occurs on or after December 15, 1991, the attending physician must, shortly before, at, or shortly after discharge (but before a claim is submitted), attest to the principal diagnosis, secondary diagnoses, and names of major procedures performed. The information must be in writing in the medical record and, except as provided in subsection (d)(2) below, the physician must sign the statement. Below the diagnostic and procedural information, and on the same page, the following statement must immediately precede the physician's dated signature: "I certify that the narrative descriptions of the principal and secondary diagnoses and the major procedures performed are accurate and complete to the best of my knowledge." The physician's name must be typed or clearly printed and appear on the same page as the physician's signature.

- 2) Alternative signature requirement. The attending physician's signature, along with the other information required in subsection (d)(1), may be provided by electronic means through a hospital data system if the hospital's Title XVIII (Medicare) intermediary has determined that the hospital data system meets the guidelines established by the Health Care Financing Administration, U.S. Department of Health and Human Services, under the Medicare Program.

- 3) DRG Validation. The Department or its designee may require and perform prepayment review and/or postpayment review of specific diagnosis and procedure codes.

- 4) Sample Reviews

- A) The Department, or its designee, may review a random sample of discharges to verify that the diagnostic and procedural coding, submitted by the hospital and used by the Department for DRG assignment, is substantiated by the corresponding medical records.

- B) Code validation must be done on the basis of a review of medical records and, at the Department's discretion, may take place at the hospital or away from the hospital site.

- 5) Revision of Coding

- A) If the diagnostic and procedural information, attested to by the attending physician, is found to be inconsistent

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## Section 149.75(d)(5)(A) (continued)

with the hospital's coding, the hospital shall be required to provide the appropriate coding and the Department shall recalculate the payment on the basis of the revised coding.

- B) If the information attested to by the physician as stipulated under subsection (d)(5)(A) is found not to be consistent with the medical record, the hospital shall be required to provide the appropriate coding and the Department shall recalculate the payment on the basis of the revised coding.

e) Medical Review Requirements: The Department, or its designee, may conduct pre-admission, concurrent, pre-payment, and/or post-payment reviews of:

- 1) The medical necessity, reasonableness and appropriateness of inpatient hospital admissions and discharges.
  - 2) The quality and/or the nature of the utilization of health services.
  - 3) The medical necessity, reasonableness and appropriateness of inpatient hospital care for which additional payment is sought under the outlier provisions of Section 149.105.
  - 4) The validity of the hospital's diagnostic and procedural information.
  - 5) The completeness, adequacy and quality of the services furnished in the hospital.
  - 6) Other medical or other practices with respect to program participants or billing for services furnished to program participants.
- f) Hospitals shall be notified at least thirty (30) days in advance of any pre-admission, concurrent, or pre-payment review requirements imposed by the Department.
- g) Denial of Payment as a Result of Admissions, Length of Stay, Transfers and Quality Review
- 1) If the Department determines that a hospital has misrepresented admissions, length of stay, discharges, or billing information, or has taken an action that results in the unnecessary admission

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## Section 149.75(g)(1) (continued)

or inappropriate discharge of a program participant, unnecessary multiple admissions of a program participant, unnecessary transfer of a program participant, or other inappropriate medical or other practices with respect to program participants or billing for services furnished to program participants, the Department may, as appropriate:

- A) Deny payment (in whole or in part) with respect to inpatient hospital services provided with respect to such an unnecessary admission, inappropriate length of stay or discharge, subsequent readmission or transfer of an individual.
  - B) Require the hospital to take action necessary to prevent or correct the inappropriate practice.
  - C) Perform prepayment review in accordance with 89 Ill. Adm. Code 148.240(c) 148.240(e).
- 2) When payment with respect to the discharge of an individual patient is denied by the Department, or its designee, under subsection (g)(1)(A), a reconsideration will be provided within 30 days, upon the request of a practitioner or provider, if such request is the result of the designee's own medical necessity or appropriateness of care denial determination and is received within 60 days of the Advisory Notice. The date of the Advisory Notice is counted as day one.
  - 3) A determination under subsection (g)(1) above, if it is related to a pattern of inappropriate admissions, length of stay and billing practices that has the effect of circumventing the prospective payment system, may result in actions specified in subsection (a)(2) above.
- h) Furnishing of Inpatient Hospital Services Directly or Under Other Arrangements
- 1) The applicable payments made under the PPS are payment in full for all inpatient hospital services other than for the services of nonhospital-based physicians to individual program participants and the services of certain hospital-based physicians as described in subsections (h)(1)(B)(i) through (h)(1)(B)(v) below.
  - A) Hospital-based physicians who may not bill separately on a fee-for-service basis:



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## Section 149.75(h)(1)(A) (continued)

- i) A physician whose salary is included in the hospital's cost report for direct patient care may not bill separately on a fee-for-service basis.
  - ii) A teaching physician who provides direct patient care may not bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution includes a component for treatment services.
- B) Hospital-based physicians who may bill separately on a fee-for-service basis:
- i) A physician whose salary is not included in the hospital's cost report for direct patient care may bill separately on a fee-for-service basis.
  - ii) A teaching physician who provides direct patient care may bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution does not include a component for treatment services.
  - iii) A resident may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she is permitted to and does bill private patients and collect and retain the payments received for those services.
  - iv) A hospital-based specialist who is salaried, with the cost of his or her services included in the hospital reimbursement costs, may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she may charge for professional services and do, in fact, bill private patients and collect and retain the payments received.
  - v) A physician holding a nonteaching administrative or staff position in a hospital or medical school may bill separately on a fee-for-service basis to the extent that he or she maintains a private practice and bills private patients and collects and retains payments made.

- 2) Charges are to be submitted on a fee-for-service basis only when

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## Section 149.75(h)(2) (continued)

the physician seeking reimbursement has been personally involved in the services being provided. In the case of surgery, it means presence in the operating room, performing or supervising the major phases of the operation, with full and immediate responsibility for all actions performed as a part of the surgical treatment.

(Source: Emergency amendment at 17 Ill. Reg. 17275 effective October 1, 1993, for a maximum of 150 days)

Section 149.100 Basic Methodology for Determining DRG Prospective Payment Rates  
EMERGENCY

a) DRG Classification and Weighting Factors

- 1) DRG Classification. ~~For the rate period beginning October 1, 1992, the Department will utilize the DRG Grouper, as described in Section 149.5(c)(1), to classify classification-of inpatient hospital discharges by diagnosis related groups (DRGs) as defined by federal regulation for the Medicare Program (42 CFR 412) in effect on September 1, 1992, with modifications deemed appropriate due to the differences in the Medicare and Medicaid patient populations and Illinois Medicaid policy.~~

2) DRG Weighting Factors

- A) Except as provided in subsections (a)(2)(B) through (a)(2)(E) below, the Illinois Medicaid weighting factor for each DRG shall equal the Medicare weighting factor, as described in Section 149.5(c)(2), for that group, ~~in effect on September 1, 1992, multiplied by a fraction, the numerator of which is the Medicaid geometric mean length of stay and the denominator of which is the Medicare geometric mean length of stay for that group. In making that calculation, the Department shall:~~
  - i) Use the Medicare geometric mean length of stay for each diagnostic related group as determined by the Health Care Financing Administration of the United States Department of Health and Human Services.
  - ii) Calculate the Medicaid geometric mean length of stay for each diagnostic related group using the same methodology employed to calculate the Medicare

## Section 149.100(a)(2)(A)(ii) (continued)

geometric mean length of stay and using data obtained from the Illinois Health Care Cost Containment Council or the Department's data bases.

B) The Illinois weighting factors for neonatal discharges (Medicare-defined DRGs 385-391 and Illinois-defined DRGs for Level III perinatal centers) shall be the product of the ratio of the mean cost per discharge (defined below) of the given DRG to the mean cost per discharge for DRG 391 (normal newborn) and the Medicare scaling factor (defined below), such that the Illinois and Medicare weighting factors for DRG 391 are the same.

i) Mean cost per discharge, for any DRG, is defined as the sum of the product of charges, as reported by a hospital on claims paid by the Department, less costs listed as otherwise reimbursed under Section 149.150(c), updated to the current rate year using the national hospital market basket price proxies (DRI) ~~DRI factors (defined in 89-III-Adm-Gede-148.2707)~~ and the hospital's cost to charge ratio, as derived from the hospital's most recent audited base-year cost report ~~(for the calendar year 1989 for Fiscal Year 1992)~~, divided by the number of discharges for that DRG.

ii) Medicare scaling factor is defined as the Medicare weighting factor for DRG 391 (normal newborns).

C) The Illinois weighting factors for psychiatric discharges (DRGs 424-432) shall be computed as specified in subsections (a)(1) and (a)(2) except, prior to computing the Medicaid geometric mean length of stay for those DRGs, all lengths of stay longer than three (3) days are to be set at three (3) days.

D) The Illinois weighting factors for DRGs that will not be paid through the DRG PPS are zero (0.0000). Those include DRG 103, heart transplant; DRG 436, alcohol/drug dependence with rehabilitation therapy; DRG 462, rehabilitation; DRG 480, liver transplant; DRG 481, bone marrow transplant.

E) Except for DRGs otherwise specified in subsections (a)(2)(B) through (a)(2)(D), the Illinois weighting factors for DRGs for which available historic discharge data are

## Section 149.100(a)(2)(E) (continued)

sparse, fewer than 100 records, shall be computed using an alternate methodology.

i) For rate periods ~~the rate period~~ beginning on or after October 1, 1992, for those DRGs with 32 or more records available, the Illinois weighting factor shall be set at the midpoint between the weight calculated using the methodology in subsection (a)(2)(A) and the Medicare weighting factor, as described in Section 149.5(c)(2) ~~in effect on September 1, 1992~~.

ii) For those DRGs with fewer than 32 records available, the Illinois weighting factor shall be set equivalent to the Medicare weighting factor, as described in Section 149.5(c)(2) ~~in effect on September 1, 1992~~.

3) Assignment of Discharges to DRGs. The Department will establish a methodology for classifying specific hospital discharges within DRGs which ensures that each hospital discharge is appropriately assigned to a single DRG, based on essential data abstracted from the inpatient bill for that discharge.

A) The classification of a particular discharge will, as appropriate, be based on the patient's age, sex, principal diagnosis (that is, the diagnosis established after study to be chiefly responsible for causing the patient's admission to the hospital), secondary diagnoses, procedures performed, and discharge status.

B) Each discharge will be assigned to only one DRG (related, except as provided in subsection (a)(3)(C), to the patient's principal diagnosis) regardless of the number of conditions treated or services furnished during the patient's stay.

C) When the discharge data submitted by a hospital show a surgical procedure unrelated to a patient's principal diagnosis, the bill will be subject to prepayment review for validation and reverification. The Department's DRG classification system will provide a DRG, and an appropriate weighting factor, for cases for which the unrelated diagnosis and procedure are confirmed.

4) Review of DRG Assignment

A) A hospital has 60 days after the date of the remittance

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## Section 149.100(a)(4)(A) (continued)

advice indicating initial assignment of a discharge to a DRG to request a review of the assignment. The hospital may submit additional information as a part of its request.

- B) The Department shall review the hospital's request and any additional information and decide whether a change in the DRG assignment is appropriate. If the Department decides that a higher-weighted DRG should be assigned, it must request the Department's peer review organization to review the case to verify the change in DRG assignment.

- C) Following the 60-day period described in subsection (a)(4)(A) above, the hospital may not submit additional information with respect to the DRG assignment or otherwise revise its claim.

b) Illinois Rates for Admissions ~~on or after October 1, 1992~~

- 1) Reimbursement to hospitals for claims for admissions occurring prior to October 1, 1992, shall be calculated and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered. The payments described in Sections 149.5 through 149.150 ~~149.325~~ and 89 Ill. Adm. Code 148.250 through 148.300 shall be effective for admissions on and after October 1, 1992, subject to 89 Ill. Adm. Code 148.20(b) and Section 149.5(b).

- 2) The payments described in 89 Ill. Adm. Code ~~148.82~~ ~~148.80~~ shall be effective for services provided on or after July 1, 1992.

## c) Determining Prospective Payment Rates.

- 1) Federal/Regional Blended Rate Per Discharge

- A) ~~For the rate period beginning October 1, 1992, except as specified in subsection (c)(1)(B) below, the Department shall reimburse hospitals for inpatient services at the federal/regional blended rate per discharge for the Medicare Program, which includes the hospital-specific portion as described in subsection (c)(2) below, if applicable. An effect on September 1, 1992, and as computed by the PPS Pricer, as described in Section 149.5(c)(3) Version-02.0.~~

- B) In the case of a hospital that was not determined by the Department to be a rural hospital at the beginning of the

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## Section 149.100(c)(1)(B) (continued)

rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), but was subsequently reclassified by the Department as a rural hospital, as described in 89 Ill. Adm. Code 148.25(g)(3), on July 15, 1993:

- i) Effective with admissions occurring on October 1, 1993, and for the duration of the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the Department shall recompute such hospital's DRG PPS payment rate using the rural hospital payment federal/regional, rural wage adjusted, blended rate per discharge in effect on September 1, 1992, under the Medicare Program.
- ii) Effective with admissions occurring on or after the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the Department shall compute such hospital's DRG PPS payment rate using the rural hospital federal/regional, rural wage adjusted, blended rate per discharge in effect 90 days prior to the date of admission, under the Medicare Program.

## 2) Hospital-Specific Portion

The hospital-specific portion is defined as the specific status and any applicable add-ons under the Medicare Program in recognition of sole community hospitals, rural referral centers, Medicare dependent hospitals, and rural hospitals deemed urban.

## 3) DRG PPS Base Rate

The DRG PPS base rate shall be defined as the sum of the amounts computed under subsections (c)(1) and (c)(2), multiplied by the Illinois weighting factor assigned to the DRG into which the case has been classified.

## 4) Payment Adjustments

In addition to the DRG PPS base rate defined in subsection (c)(3), hospitals shall receive applicable outlier adjustments, in accordance with Section 149.105; applicable adjustments ~~a per case add-on~~ for health care education payments, in accordance with Section 149.140; applicable adjustments ~~per case add-on~~ for indirect medical education costs, capital costs, direct medical education costs, and CRNA costs in accordance with Section 149.150(c); applicable adjustments for disproportionate



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## Section 149.100(c)(4) (continued)

share, in accordance with 89 Ill. Adm. Code Section 148.120; applicable adjustments for uncompensated care, in accordance with 89 Ill. Adm. Code Section 148.150; various specific inpatient payment adjustments, as applicable ~~adjustments for trauma admissions~~, in accordance with 89 Ill. Adm. Code Section 148.290 ~~148.199~~; and, on a retrospective basis, any applicable adjustment for kidney acquisition costs in accordance with Section 149.150(c)(5).

## d) Application of Upper Payment Limits-

The Department shall adjust each of the prospective payment rates determined under subsection (c) above (with the exception of disproportionate share payment adjustments made in accordance with 89 Ill. Adm. Code 148.120) to ensure that aggregate payments do not exceed the amount that can reasonably be estimated would have been paid under Medicare payment principles, in compliance with 42 CFR 447.272, Application of Upper Payment Limits.

(Source: Emergency amendment at 17 Ill. Reg. 17275 effective October 1, 1993, for a maximum of 150 days)

## Section 149.105 Payment For Outlier Cases

## EMERGENCY

## a) General Provisions

1) ~~Basic~~-Rule

A) Except as provided in subsections (a)(3) and (a)(4) of this ~~Section subsections (e)(1)-(g) and (e)(1)-(g)~~, the Department provides for additional payment, approximating a hospital's marginal cost of care beyond thresholds specified by the Department, to a hospital for covered inpatient hospital services furnished to a Medicaid client, if either of the ~~following~~ conditions in the following subsections (A) or (B) apply~~+~~.

1) The client's length of stay (including up to three administrative days) exceeds the day outlier threshold, determined by the Department, for the appropriate applicable DRG.

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the ~~the~~ threshold is set at the lesser of the geometric mean length of stay plus 27 days, or the

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## Section 149.105(a)(1)(A) (continued)

geometric mean length of stay plus three (3) standard deviations.

B) For rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the Department shall utilize the geometric mean length of stay plus the lesser of three standard deviations, or the Medicare day outlier cutoff threshold in effect 90 days prior to the date of admission, adjusted by a factor, the numerator of which is the Medicaid geometric length of stay, and the denominator of which is the average Medicare geometric mean length of stay.

2) ~~1) The hospital's charges for covered services furnished to the client, adjusted to cost by applying a cost-to-charge ratio, as described in subsection (c)(3) of this Section, exceed the greater of:~~

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), \$34,000 as adjusted for the hospital's labor market, or the hospital's DRG PPS base rate as described in Section 149.100(b)(2)(c) multiplied by two (2).

B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the Department shall utilize the Medicare established cost outlier cutoff threshold in effect 90 days prior to the date of admission. The Medicare outlier threshold shall be adjusted by a factor, the numerator of which is the Medicaid geometric length of stay, and the denominator of which is the Medicare geometric mean length of stay.

3) ~~B) The Department will provide cost outlier payments to a transferring hospital reimbursed under the DRG PPS that does not receive payment under subsection (b) of this Section for discharges specified in Section 149.25(b)(4)(B), if the hospital's charges for covered services furnished to the client, adjusted to cost by applying a cost-to-charge ratio, as described in subsection (c)(3), exceed:~~

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), the greater of the criteria specified in subsection (a)(2)(A) of this Section ~~(a)(1)(A)(1)~~.

B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), the criteria specified in subsection (a)(2)(B) of this Section.

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## Section 149.105(a) (continued)

4)6) The Department will not provide outlier payments for:

- A) Discharges classified as psychiatric care (DRGs 424-432). Such care provided by other than hospitals or distinct part units enrolled with the Department to provide psychiatric care (category of service 21) is limited to emergency treatment, to last no longer than three days.
- B) Discharges assigned to DRGs with an Illinois weighting factor of zero (0.0000).

5)2) The Department or its designee may review outlier cases on a prepayment or postpayment review basis. The charges for any services identified as noncovered through this review will be denied and any outlier payment having been made for those services will be recovered, as appropriate, after a determination as to the provider's liability has been made. If the Department or its designee finds a pattern of inappropriate utilization by a hospital, all outlier cases from that hospital are subject to medical review, and this review may be conducted prior to payment until the Department or its designee determines that appropriate corrective actions have been taken. The Department, or its designee, must review and approve, to the extent required by the Department:

- A) The admission was medically necessary and appropriate.
  - B) The medical necessity and appropriateness of the admission and outlier services in the context of the entire stay.
  - C) The services were ordered by the physician, actually furnished, and nonduplicatively billed.
  - D) The validity of the diagnostic and procedural coding.
  - E) The granting of up to three administrative (grace) days during which the hospital is seeking an appropriate setting into which to discharge a nonacute patient.
- b) Payment for Extended Length-of-Stay Cases (Day Outliers)
- 1) If the hospital stay includes covered days of care beyond the applicable threshold criterion, the Department will make an additional payment, on a per diem basis, to the discharging hospital for those days and the transferring hospital for DRG's

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## Section 149.105(b)(1) (continued)

385, 456, or 985 only. A special request or submission is not necessary to initiate this payment.

- 2) Except as provided in subsection (d) ~~subsections (b)(3) or (d)~~ of this Section, and subject to the limitations described in subsection (e) of this Section, the per diem payment made under subsection (b)(1) is derived by first taking 60 percent of the per diem payment for the applicable DRG, as calculated by dividing the DRG PPS base rate, determined under Section 149.100(c)(3), ~~89-111-Adm-Code-149-100~~ by the mean length-of-stay for that DRG.
  - 3) ~~The per diem payment made under subsection (b)(1) for burn discharge (DRG-456-460) is derived under the provisions of subsection (b)(2), except that the calculation is 90 percent of the per diem payment of the applicable DRG.~~
  - 3)4) Any days in a covered stay identified as noncovered reduce the number of days reimbursed at the day outlier rate but not to exceed the number of days that occur after the day outlier threshold.
- c) Payment for Extraordinarily High Cost Cases (Cost Outliers)
- 1) If the hospital charges, as adjusted by the method specified in subsection (c)(3) exceed the applicable threshold criterion, the Department will make an additional payment to the hospital to cover those costs. A special request or submission is not necessary to initiate this payment.
  - 2) The Department will reimburse the cost of the discharge on the billed charges for covered inpatient services, adjusted by a cost-to-charge ratio as described in subsection (c)(3), subject to the limitations described in subsections (c)(4) and (e) of this Section.
  - 3) The cost-to-charge ratio used to adjust covered charges is computed at the beginning of each rate period, as described in 89 Ill. Adm. Code 148.25(g)(2), ~~annually~~ by the Department for each hospital based on the hospital's base fiscal year. Statewide cost-to-charge ratios are used in those instances in which a hospital's cost-to-charge ratio falls outside reasonable parameters or cannot be computed due to a lack of information (e.g., a new hospital for which the Department is not in possession of the required historical information).

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- 4) If any of the services are determined to be noncovered, the charges for those services will be deducted from the requested amount of reimbursement but not to exceed the amount claimed above the cost outlier threshold.
- 5) Except as provided in subsection (c)(6), the additional amount is 75 percent of the difference between the hospital's adjusted cost for the discharge (as determined under subsection (c)(3)) and the threshold criteria established under subsection (a)(1)(A)(ii), subject to the limitations described in subsections (c)(4) and (e) of this Section.
- 6) The additional payment amount for burn cases (DRGs 456-460) is computed under the provisions of subsection (c)(5), except that the payment is 90 percent of the difference between the hospital's adjusted cost for the discharge and the threshold criteria.
- d) Payment for Extraordinarily High Cost Day Outliers. If a discharge qualifies for an additional payment under the provisions of both subsections (b) and (c), the additional payment is, subject to the limitations described in subsection (e) of this Section, the greater of the following:
  - 1) The payment computed under subsection (b) above.
  - 2) The payment computed under subsection (c) above.
- e) Outlier Payment Limitation. Notwithstanding any other provisions of this Section, the total reimbursement paid by the Department for a claim qualifying for an outlier payment under this Section shall not exceed the total covered inpatient charges.

(Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.125 Emergency Special Treatment of Certain Facilities

a) General Rules

- 1) Sole Community Hospitals. Hospitals defined as sole community hospitals ~~shall~~ under subsection (b) below, shall have the choice of being reimbursed under the DRG PPS methodology, as described in Sections 149.5 through 149.150, or the Department's

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Section 149.125(a)(1) (continued)

- Alternate Reimbursement methodology as described in 89 Ill. Adm. Code 148.250 through 148.300, in accordance with the provisions of 89 Ill. Adm. Code 148.40(f) through (h).
- 2) Hospitals that Serve a Disproportionate Share of Low Income Patients. The Department shall make additional payments to hospitals that serve a disproportionate share of low income patients. The criteria and methodologies for such additional payments are set forth in 89 Ill. Adm. Code 148.120 and include ~~applicable additional payments for targeted access care and critical access care.~~
  - 3) Uncompensated Care Adjustments. The Department shall make an additional payment to hospitals that provide equal access to low income persons. The criteria and methodology for this additional payment are set forth in 89 Ill. Adm. Code 148.150.
  - 4) ~~Specific Inpatient Payment~~ ~~Reimbursement~~ ~~Center~~ ~~Adjustments.~~ The Department shall make specific additional payments to applicable hospitals ~~reimbursement~~ as set forth in 89 Ill. Adm. Code 148.290 ~~148.290(e).~~
  - b) Criteria for Classification as a Sole Community Hospital. "Medicaid Sole Community Provider" means a hospital that meets one of the following criteria:
    - 1) Medicare Program Designation
      - A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), any Any hospital designated as a "sole community provider" by the U.S. Department of Health and Human Services for purposes of reimbursement under the federal Medicare Program effective September 1, 1992, ~~for~~
      - B) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(B), any hospital designated as a "sole community provider" by the U.S. Department of Health and Human Services for purposes of reimbursement under the federal Medicare Program effective 90 days prior to the date of admission.
    - 2) Primary Service Area Designation
      - A) Any rural hospital, as described in 89 Ill. Adm. Code 148.25(g)(3), ~~located outside of a metropolitan statistical-~~



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## Section 149.125(b)(2)(A) (continued)

~~area~~ that serves 55 percent or more of the Medicaid patients residing within the hospital's primary service area for the provision of inpatient hospital services.

B) "Primary service area" means the geographic area defined by U.S. Postal Service Zip Codes in which 50 percent or more of a hospital's inpatients reside.

C) The determination of sole community provider status under this subsection (b)(2) shall be made prior to the rate period, as described in 89 Ill. Adm. Code 148.25(g)(2).

D) The data used to make this determination will be from the Illinois Health Care Cost Containment Council (IHCCC) for the most recent four quarters for which information is available.

(Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)

Section 149.140 Methodology for Determining Primary Care Access Health Care  
EMERGENCY Education Payments

a) Payments will be made to qualifying teaching hospitals for the purpose of encouraging medical schools and affiliated teaching hospitals to increase the number and to promote the education of primary health care professionals and the placement of those professionals in areas of the State that suffer a shortage of medical professionals.

b) Definitions.

1) "Full-time equivalent countable resident" means a resident that meets both of the following criteria:

A) A resident that is, as defined by the federal Department of Health and Human Services, allowed to be reported on the Medicare Cost Report when calculating Graduate Medical Education (GME) payments, as of October 1, 1993, and as of the first day of any Medicare rate year subsequent to the rate period in effect as of April 1, 1994.

B) A resident that is, as of October 1, 1993, and as of the first day of any Medicare rate year subsequent to the rate

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## Section 149.140(b)(1)(B) (continued)

period in effect as of April 1, 1994, in the first, second, third or fourth year of their first residency training program.

2) "Full-time equivalent resident" means, for the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A) and for the first subsequent rate period as described in 89 Ill. Adm. Code 148.25(g)(2)(B), residents, as defined by the federal Department of Health and Human Services, and allowed to be reported on the Medicare cost report on file with the Department for the latest cost report period ending between ~~nineteen~~(19) and ~~thirty~~(40) months prior to the beginning of the fiscal year in which the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A) begins.

3) "Full-time equivalent qualified rotation" means one full-time equivalent countable resident that works full-time, or its proportional equivalent, in any qualified setting.

4) "Full-time equivalent rotation" means one full-time equivalent countable resident that works full-time, or its proportional equivalent, in any residency location.

5) "Major academic hospital" means:

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), and for the first subsequent rate year as described in 89 Ill. Adm. Code 148.25(g)(2)(B), a hospital, located in the State of Illinois, with at least ~~three~~ ~~hundred-fifty~~(350) acute care, inpatient beds and at least ~~one-hundred-thirty~~(130) full-time equivalent residents. The source of this information ~~on acute-care inpatient beds~~ will be the most recent available American Hospital Association Guide.

B) For subsequent rate periods not described in subsection (b)(5)(A) above, a hospital, located in the State of Illinois, with at least 350 acute care, inpatient beds and at least 130 full-time equivalent residents. The source of this information will be the most current Illinois Department of Public Health published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Department sixty days preceding a rate period, as described in 89 Ill. Adm. Code

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## Section 149.140(b)(5)(B) (continued)

148.25(g)(2)(B) that is not described in subsection (b)(5)(A) above. Inpatient beds shall include total beds, excluding any used for substance abuse, long term care or swing beds. The source of information on full-time equivalent residents will be the most recent available Medicare Cost Report.

6) "Primary care clinic" means any hospital sponsored or affiliated practice site in which at least 50 per centum of patient visits to the clinic are for primary care, or meets one or more of the following criteria:

A) At least 50 per centum of all staff physicians (including salaried, contractual, and part-time) routinely provide obstetric, pediatric, internal medicine, or family practice care in the clinic setting.

B) The clinic enrolls in the Healthy Moms/Healthy Kids program and meets the following criteria:

i) The clinic accepts 1,000 or more pregnant women for obstetrical care through the Healthy Moms/Healthy Kids program between July 1, 1993, and June 30, 1994.

ii) The clinic accepts 1,250 or more pregnant women for obstetrical care through the Healthy Moms/Healthy Kids program between July 1, 1994, and June 30, 1995.

iii) The clinic accepts 1,500 or more pregnant women for obstetrical care through the Healthy Moms/Healthy Kids program between July 1, 1995, and June 30, 1996, and each year thereafter.

C) The clinic enrolls in the Healthy Moms/Healthy Kids program and meets the following criteria:

i) The clinic accepts 3,000 or more women and children for primary care services through the Healthy Moms/Healthy Kids program between July 1, 1993, and June 30, 1994.

ii) The clinic accepts 3,750 or more women and children for primary care services through the Healthy Moms/Healthy Kids program between July 1, 1994, and June 30, 1995.

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## Section 149.140(b)(6)(C) (continued)

iii) The clinic accepts 4,500 or more women and children for primary care services through the Healthy Moms/Healthy Kids program between July 1, 1995, and June 30, 1996, and each year thereafter.

7) A primary care clinic does not include clinics or facilities established for emergency room usage.

8) "Qualified rotation setting" means any of the following:

A) A primary care clinic that meets one of the following criteria: has thirty-five (35) per centum or more of its annual patients eligible for medical assistance.

i) A primary care clinic that has 20 per centum or more of its annual patients eligible for medical assistance.

ii) A primary care clinic that has 25,000 or more of its annual patient visits eligible for medical assistance.

iii) A primary care clinic that has a 5,000 or more of its annual patient visits eligible for medical assistance and a 10 per centum or more increase in its annual patients eligible for medical assistance from one year to the next.

B) A primary care clinic that pledges to serve 500 or more individuals participating in the Department of Healthy Moms/Healthy Kids program.

9B) A federally qualified health center.

9C) A rural health center.

9) "Qualified rotation ratio" means the ratio of the total full-time equivalent qualified rotation to the total full-time equivalent rotation of all countable residents.

10) "Medicare rate year" means any Medicare rate year in effect as defined by the federal Health Care Finance Authority (HCFA).

c) Initiative Goals. The goals of this initiative are to direct State resources into incentives that will:

1) Increase the number of primary health care professionals trained in community primary care settings.

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## Section 149.140(c) (continued)

- 2) Increase the number of primary health care professionals providing thorough medical services to persons eligible for medical assistance.
- 3) Decrease the number of non-urgent hospital emergency room visits.
- 4) Promote cooperation among medical schools, major teaching hospitals, and primary care providers to develop programs that will:
  - A) Encourage medical students to select primary care specialties.
  - B) Establish and staff clinics that are located in medically underserved areas or underserved Medicaid areas.
  - C) Promote the use of preventive care.

## d) Participation Requirements.

- 1) Major academic hospitals must enroll with the Department to participate in the initiative.
- 2) Hospitals receiving payments under this initiative are to use these payments for the establishment of new programs or the enhancement of existing programs that will ~~place residents in~~ qualified-retention-settings-and achieve the goals described in subsection (c) above.
- 3) Hospitals receiving payments under this incentive must comply with reporting requirements as described in subsection (f) below.

e) Payment methodology. For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), payments ~~payments~~ will be made as an add-on for any DRG PPS discharge from a participating hospital. The amount of that payment shall be a per discharge amount which will be the quotient of the hospital-specific incentive level divided by the number of DRG PPS discharges expected, by the Department, to occur during the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A). For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), payment adjustments will be made for any DRG PPS discharge from a participating hospital; however, the amount of the payment adjustment shall be a per diem amount which will be the quotient of the hospital-specific incentive level divided by the number of DRG PPS inpatient days expected, by the Department, to

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## Section 149.140(e) (continued)

occur during the applicable rate period, as described in 89 Ill. Adm. Code 148.25(g)(2)(A). The hospital-specific incentive level shall be determined as follows:

- 1) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A), ~~periods beginning on or after October 1, 1992 and for the first subsequent rate period described in 89 Ill. Adm. Code 148.25(g)(2)(B), the hospital-specific incentive level shall be the product of the annual resident funding factor, which for rate periods beginning on or after October 1, 1992, shall be \$7,500, and the number of countable residents, which is the lesser of:~~
  - A) The total number of full-time equivalent residents.
  - B) Sixty ~~400~~ per centum of the number of acute care inpatient beds.

- 2) For subsequent rate periods not described in subsection (e)(1) above, the hospital-specific incentive level shall be the product of the following 3 factors: ~~Each-as-used-to-qualify-the-hospital-as-a-major-teaching-institution~~

- A) The annual resident funding factor, which shall be \$8,500.

- B) The lesser of:
    - i) The total number of full-time equivalent countable residents.
    - ii) Sixty per centum of the number of acute care inpatient beds, as determined in accordance with subsection (b)(5)(B) of this Section.

- C) The quotient of the qualified rotation ratio divided by the Department's qualified rotation goal.

- 3) The Department's qualified rotation goals are as follows:

- A) Three per centum of the total full-time equivalent rotation time from October 1, 1993, through the day prior to any Medicare rate year, as described in subsection (b)(10) above, in effect as of April 1, 1994.

- B) Four per centum of the total full-time equivalent rotation



## Section 149.140(e)(3)(B) (continued)

- time of the Medicare rate year beginning on or after January 1, 1995.
- C) Six per centum of the total full-time equivalent rotation time of the Medicare rate year beginning on or after January 1, 1996.
- D) Nine per centum of the total full-time equivalent rotation time of the Medicare rate year beginning on or after January 1, 1997.
- E) Twelve per centum of the total full-time equivalent rotation time of the Medicare rate year beginning on or after January 1, 1998.
- 4) Payments for rotation goals shall begin with the Medicaid rate year that begins subsequent to the conclusion of a rotation goal.
- 5) Thirty days prior to the beginning of each rate period, hospitals receiving payments under this Section must provide the Department with data necessary to determine total rotation time and the rotation time in qualified settings for the months within a rotation goal.
- 6) Payment Adjustment Cap. The aggregate payments under this Section shall be capped at \$17,800,000 per rate period. Reimbursement to each hospital receiving payments under this Section shall also be capped at 125 per centum of the product of countable residents multiplied by the annual resident funding factor. If aggregate payments exceed \$17,800,000, payments to each participating major academic hospital will be adjusted in proportion to not exceed the total payments under this Section for the rate period.
- 7) Appeal Process. Hospitals receiving payments under this Section may appeal the amount of their payments in accordance with 89 Ill. Adm. Code 148.310(a)(3).
- f) Reporting requirements. Participating hospitals must provide the Department with data and other information the Department deems necessary to determine eligibility for participation, and to monitor and evaluate this initiative. This information may include, but not be limited to:
- 1) The names and program year of individual residents.

## Section 149.140(f) (continued)

- 2) Data maintained for residency review committees.
  - 3) Quarterly data necessary to determine the actual percentage of countable resident time spent in qualified rotation settings.
  - 4) Quarterly data necessary to determine if certain facilities meet the defined requirements of a qualified rotation setting.
- (Source: Emergency amendment at 17 Ill. Reg. 17275, effective October 1, 1993, for a maximum of 150 days)
- Section 149.150 Payments to Hospitals Under the DRG Prospective Payment System  
EMERGENCY
- a) Total Medicaid Payment. Under the DRG PPS, the total payment for inpatient hospital services furnished to a Medicaid client by a hospital will equal the sum of the payments listed in subsections (b) through (c). In addition to the payments listed in subsections (b) through (c) of this Section, hospitals shall also receive appropriate disproportionate share adjustments in accordance with 89 Ill. Adm. Code 148.120, if applicable, uncompensated care adjustments in accordance with 89 Ill. Adm. Code 148.150, if applicable, and various specific inpatient payment adjustments ~~trauma-center adjustments~~ in accordance with 89 Ill. Adm. Code 148.220 ~~148.290(e)~~, if applicable.
  - b) Payments Determined on a Per Case Basis. A hospital will be paid on a per case basis (with the exception of kidney acquisition costs) the following amounts:
    - 1) the appropriate DRG PPS rate for each discharge as determined in accordance with Section 149.100(c) ~~149.190(f)(2)~~.
    - 2) The appropriate outlier payment amounts determined under Section 149.105.
    - 3) Capital related costs as determined under subsection (c)(1)(A) ~~(e)(4)~~ below.
    - 4) Direct medical education costs as determined under subsection (c)(2)(A) ~~(e)(2)~~ below.
    - 5) Indirect medical education costs as determined under subsection (c)(3) below.
    - 6) Anesthesia services of hospital employed nonphysician

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## Section 149.150(b)(6) (continued)

anesthetists (Certified Registered Nurse Anesthetists or "CRNAs") as set forth in Section 6132(a) of the Omnibus Budget Reconciliation Act of 1989 and in accordance with subsection (c)(4)(A) ~~to~~.

- 7) Kidney acquisition costs in accordance with subsection (c)(5).
- 8) Primary care access health care education payments, if applicable, in accordance with Section 149.140.

c) Payments for Capital, Direct Medical Education, Indirect Medical Education, CRNA, and Kidney Acquisition Costs. For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A) these ~~These~~ costs shall be paid on a per case basis, with the exception of kidney acquisition costs. For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), these costs shall be paid on a per diem basis, with the exception of kidney acquisition costs. Payments for these costs ~~and~~ shall be calculated as follows:

- 1) Capital Related Costs

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A):

i)A) The capital related cost per diem shall be calculated by taking the hospital's total capital related costs as reported on the hospital's latest audited Medicare cost report on file with the Department for the base period as defined in 89 Ill. Adm. Code 148.25(g)(1), divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national total hospital market basket price proxies (DRI).

ii)B) These two trended capital related cost per diems are then added together and divided by two to calculate the hospital's adjusted capital related cost per diem.

iii)C) The adjusted capital related cost per diem amount, as calculated in subsection (c)(1)(A)(ii) ~~to~~ above, shall be rank ordered for all hospitals and capped at the 80th percentile.

iv)D) Each hospital shall receive a per case add-on for capital related costs which shall be equal to the amount calculated in subsection (c)(1)(A)(ii) or

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## Section 149.150(c)(1)(A)(iv) (continued)

subsection (c)(1)(A)(iii) ~~to~~ above, whichever is less, multiplied by the hospital's average length of stay for services reimbursed under the DRG PPS.

B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B):

i) Capital related cost per diem shall be calculated in accordance with subsections (c)(1)(A)(i) through (c)(1)(A)(iii) above.

ii) Each hospital shall receive a per diem add-on for capital related costs which shall be equal to the amount calculated in subsection (c)(1)(A)(ii) or subsection (c)(1)(A)(iii) ~~to~~ above, whichever is less.

- 2) Direct Medical Education Costs

A) For the rate period described in 89 Ill. Adm. Code 148.25(g)(2)(A):

i)A) The direct medical education cost per diem shall be calculated by taking the hospital's inpatient direct medical education costs as reported on the hospital's latest audited Medicare cost report on file with the Department for the base period as defined in 89 Ill. Adm. Code 148.25(g)(1), divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national total hospital market basket price proxies (DRI).

ii)B) These two trended direct medical education costs per diems are then added together and divided by two to calculate the hospital's adjusted direct medical education cost per diem.

iii)C) The adjusted direct medical education cost per diem amount, as calculated in subsection (c)(2)(A)(ii) ~~to~~ above, shall be rank ordered for all hospitals reporting such costs and capped at the 80th percentile.

iv)D) Each hospital shall receive a per case add-on for direct medical education costs which shall be equal to

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## Section 149.150(c)(2)(A)(iv) (continued)

the amount calculated in subsection (c)(2)(A)(ii) or subsection (c)(2)(A)(iii) ~~(c)(2)(B) or subsection (c)(2)(G)~~ above, whichever is less, multiplied by the hospital's average length of stay for services reimbursed under the DRG PPS.

B) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B):

- i) Effective with rate periods beginning on or after April 1, 1994, hospitals will be separated into two peer groups for the purpose of computing direct medical education cost per diems.
- ii) For the purpose of computing the direct medical education cost per diems, all hospitals described in Ill. Adm. Code 148.25(d) shall be defined as major teaching hospitals. All other hospitals reporting direct medical education costs shall be defined as other teaching hospitals.

iii) Effective with rate periods beginning on or after

April 1, 1994, the adjusted direct medical education cost per diem for all hospitals in each peer group shall be calculated by utilizing the direct medical education cost per diems for each hospital that were in effect on June 30, 1993, under the methodology described in subsections (c)(2)(A)(i) and (c)(2)(A)(ii) of this Section.

iv) The adjusted direct medical education cost per diem, as described in subsection (c)(2)(B)(iii) above, shall be rank ordered for all hospitals reporting such costs within each peer group, and capped at the 80th percentile.

v) Each hospital shall receive a per diem add-on for direct medical education costs which shall be equal to the amount calculated in subsection (c)(2)(B)(iii) or subsection (c)(2)(B)(iv) above, whichever is less.

3) Determination of Indirect Medical Education (IME) Adjustment Factor. To determine the indirect medical education (IME) factor, the Department shall:

A) With respect to the rate period described in 89 Ill. Adm.

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## Section 149.150(c)(3)(A) (continued)

Code 148.25(g)(2)(A), use the indirect medical education (IME) factors, as determined by HCFA, in effect on September 1, 1992. This factor shall be multiplied by the sum of the result of the calculation described in Section 149.100(c)(3) plus any applicable outlier payments as described in Section 149.105.

B) With respect to the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), use the indirect medical education (IME) factors, determined by the HCFA, in effect 90 days prior to the date of admission. This factor shall be multiplied by the sum of the result of the calculation described in Section 149.100(c)(3), plus any applicable outlier payments as described in Section 149.105.

## 4) CRNA Costs

A) Only hospitals that qualify for these payments under the Medicare Program effective at the beginning of each rate period, as described in 89 Ill. Adm. Code 148.25(g)(2), ~~September 1, 1992~~, shall be eligible for these payments.

B) The CRNA cost per case amount shall be calculated by taking the hospital's total CRNA costs (as reported on the hospital's latest audited Medicare cost report on file with the Department for the base period as defined in 89 Ill. Adm. Code 148.25(g)(1), divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national total hospital market basket price proxies (DRI).

C) Each qualifying hospital, as described in subsection (c)(4)(A) above, shall:

i) For the rate period described in Section

148.25(g)(2)(A), receive a per case add-on for CRNA costs which shall be equal to the amount calculated under subsection (c)(4)(B) above, multiplied by the hospital's average length of stay for services reimbursed under the DRG PPS.

ii) For the rate periods described in 89 Ill. Adm. Code 148.25(g)(2)(B), receive a per diem add-on for CRNA costs which shall be equal to the amount calculated under subsection (c)(4)(B) above.



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## Section 149.150(c) (continued)

- 5) Kidney Acquisition Costs. Kidney Acquisition Costs shall be reimbursed on a retrospective basis. The reimbursement shall be calculated by multiplying the hospital's total charges for the kidney acquisition by the hospital's cost-to-charge ratio as described in Section 149.105(c)(3).
- 6) In the event that an audited cost report is not available at the time the rates are calculated, the unaudited report for the applicable period will be used for the calculation of interim rates. Upon completion of the audit, the rate shall be recalculated. Payments made under the interim rate shall be reconciled.
- 7) A hospital wishing to appeal the calculation of its rates must notify the Department within 30 days after receipt of the rate change notification.

## d) Method of Payment

- 1) General Rule. Unless the provisions of subsection (d)(2) apply, hospitals are paid for each discharge based on the submission of a discharge bill. Payments for inpatient hospital services furnished by an excluded distinct part psychiatric or a rehabilitation unit of a hospital are made in accordance with 89 Ill. Adm. Code 148.270(b).

## 2) Special Interim Payment for Unusually Long Lengths of Stay

- A) First Interim Payment. A hospital may request an interim payment after a Medicaid client has been in the hospital at least 60 days. Payment for the interim bill is determined as if the bill were a final discharge bill and includes any outlier payment determined as of the last day for which services have been billed.
- B) Additional Interim Payments. A hospital may request additional interim payments at intervals of at least 60 days after the date of the first interim bill submitted under subsection (d)(2)(A). Payment for these additional interim bills, as well as the final bill, is determined as if the bill were the final bill with appropriate adjustments made to the payment amount to reflect any previous interim payment made under the provisions of subsection (d)(2).
- 3) Outlier Payments. Except as provided in subsection (d)(2),

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## Section 149.150(d)(3) (continued)

payment for outlier cases (described in Section 149.105) are not made on an interim basis. The outlier payments are made based on submitted bills and represent final payment.

## e) Reductions to Total Payments

- 1) Copayments. Copayments are assessed under all medical programs administered by the Department and shall be assessed in accordance with 89 Ill. Adm. Code 148.190.
- 2) Third Party Payments. Hospitals shall determine that services rendered are not covered, in whole or in part, under any other state or federal medical care program or under any other private group indemnification or insurance program, health maintenance organization, preferred provider organization, workers compensation or the tort liability of any third party. To the extent that such coverage is available, the Department's payment obligation shall be reduced.
- f) Effect of Change of Ownership on Payments Under the DRG Prospective Payment System. When a hospital's ownership changes, the following rule applies: Payment for the cost of inpatient hospital services for each patient, including outlier payments, as provided under subsection (b) above, will be made to the entity that is the legal owner on the date of discharge. Payments will not be prorated between the buyer and seller.

- 1) The owner on the date of discharge is entitled to submit a bill for all inpatient hospital services furnished to a Medicaid client regardless of when the client's coverage began or ended during a stay, or of how long the stay lasted.

- 2) Each bill submitted must include all information necessary for the Department to compute the payment amount, whether or not some of the information is attributable to a period during which a different party legally owned the hospital.

(Source: Emergency amendment at 17 Ill. Reg. 17275 effective October 1, 1993, for a maximum of 150 days)

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1) Heading of the Part: Hospital Services

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: Emergency Action:

148.20, 148.25, 148.40	Amendment
148.50, 148.60, 148.70	Amendment
148.82, 148.120, 148.130	Amendment
148.140, 148.150, 148.160	Amendment
148.170, 148.180, 148.200	Amendment
148.210, 148.230, 148.240	Amendment
148.250, 148.260, 148.270	Amendment
148.280, 148.290, 148.310	Amendment

4) Statutory Authority: Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [304 ILCS 5/3, 4, 5, 6, 7 and 12-13], Public Act 87-861, effective July 8, 1992, Public Act 88-85, effective July 14, 1993, and Public Act 88-88, effective July 14, 1993.

5) Effective Date of Amendments: October 1, 1993

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date Filed in Agency's Principal Office: October 1, 1993

8) Reason for Emergency: These emergency amendments are being adopted to implement revised hospital reimbursement policies effective October 1, 1993. Most of these changes are being made pursuant to the provisions of Public Act 88-88, which specifically authorizes the Department to use emergency rulemaking to implement its provisions. Additional changes in these amendments are based on the provisions of Public Act 88-85 and on agreements which have been reached with the hospital industry and affected hospitals. These provisions and agreements specify that the changes are effective October 1, 1993, or as otherwise specified in these amendments. Finally, clarifications have been made to make these rules consistent with other program initiatives being implemented by the Department at this time. In order for the Department's hospital reimbursement system to work smoothly for the benefit of providers and clients, these changes must also be effective October 1, 1993. Corresponding amendments to these emergency amendments have been proposed for public comment, and were published in the Illinois Register on September 24, 1993.

9) Complete Description of the Subjects and Issues Involved: The Department of Public Aid is adopting extensive amendments to its rules governing

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payment for hospital services (89 Ill. Adm. Code 148) on an emergency basis. These rules specify the basic methodology for reimbursement of hospital services for Medicaid clients. An alternative methodology is provided in the Department's rules on the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149). These emergency changes are required to update the rules for implementation of the revised reimbursement procedures which take effect on October 1, 1993, under Public Act 88-88. Since changes are being made to most aspects of hospital reimbursement under these amendments, all of the changes cannot be summarized here in detail. Interested persons should therefore review the amendments closely.

The substantive changes are as follows:

- Effective October 1, 1993, inpatient hospital reimbursement for hospitals reimbursed under Sections 148.130, 148.260, 148.270, 148.280, and 89 Ill. Adm. Code Part 149, will be maintained at the rate in effect on June 30, 1993, with certain exceptions. Effective on and after April 1, 1994, inpatient hospital reimbursement rates for hospitals reimbursed under the above Sections will be recalculated in accordance with the new provisions contained in these emergency amendments.
- Many of the changes reflect additions to, or clarification of, definitions utilized by the Department with respect to hospital reimbursement.
- Many of the changes make reference to the Healthy Moms/Healthy Kids Program, which is being implemented by the Department under separate emergency amendments to be filed shortly.
- Hospitals deemed as rural hospitals as of July 14, 1993 that were not previously deemed as rural hospitals at the beginning of the rate period (October 1, 1992), and that shall be treated as sole community hospitals, will be given the option to be reimbursed under the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code Part 149) or under an alternative reimbursement methodology (Section 148.260). Estimated annual aggregate spending resulting from these changes is expected to increase by approximately \$200 thousand.
- Clarification has been made concerning the types of services that are covered as hospital services for the purpose of reimbursement, and additional definitions of services have been added. Clarification has also been made regarding the types of services that are not covered as hospital services for the purpose of reimbursement.
- Extensive changes have been made to the Disproportionate Share (DSH)

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Program under Section 148.120. The substantive changes are as follows:

- The criteria for qualification as a DSH hospital have been changed to allow for the qualification of a hospital that, on July 1, 1991, had a Medicaid inpatient utilization rate that was at least the mean Medicaid inpatient utilization rate that was located in a planning area with one-third or fewer excess beds, and that, as of June 30, 1992, were located in a federally designated Health Manpower Shortage Area.
- The Targeted Access Payment (TAP) adjustments and the Critical Care Access (CCA) payment adjustments have been moved from the DSH Program and are now provided as adjustments to the basic inpatient reimbursement programs under Section 148.290 (Adjustments and Reductions to Total Payments). Although the critical care access (CCA) hospitals will no longer be deemed eligible for the DSH Program unless they meet other qualifying criteria, the critical care access (CCA) hospitals will continue to receive the perinatal and obstetrical care payment adjustments that were previously provided under the DSH Program.
- The inpatient payment adjustments to DSH hospitals have been changed. These inpatient payment adjustments are now defined as "Medicaid percentage adjustments" and will be based upon each hospital's Medicaid inpatient utilization rate as follows:
  - 1) Hospitals with a Medicaid inpatient utilization rate below the mean Medicaid inpatient utilization rate will receive a payment adjustment of \$25 per inpatient day of care provided;
  - 2) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than the mean Medicaid inpatient utilization rate, but less than one standard deviation above the mean Medicaid inpatient utilization rate, will receive a payment adjustment of \$25 per inpatient day of care provided, plus \$1 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds the mean Medicaid inpatient utilization rate;
  - 3) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than one standard deviation above the mean Medicaid inpatient utilization rate, but less than 1.5 standard deviations above the mean Medicaid inpatient utilization rate, will receive a payment adjustment of \$40 per inpatient day of care provided, plus \$7 for each one

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percent that the hospital's Medicaid inpatient utilization rate exceeds one standard deviation above the mean Medicaid inpatient utilization rate; and

- 4) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than 1.5 standard deviations above the mean Medicaid inpatient utilization rate will receive a payment adjustment of \$90 per inpatient day of care provided, plus \$2 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds 1.5 standard deviations above the mean Medicaid inpatient utilization rate.
- County-owned and State-owned hospitals, as described in these emergency amendments, will receive an additional inpatient payment adjustment of \$60 per inpatient day of care provided.
- The Medicaid percentage adjustments to a hospital, other than county-owned or state-owned hospitals, may not exceed \$155 per inpatient day of care provided for a children's hospital, and may not exceed \$215 per inpatient day of care provided for all other hospitals. These limitations shall, however, be adjusted on October 1, 1993, and annually thereafter, for inflation, as described in this emergency amendment.
- All hospitals receiving DSH payment adjustments will now receive those adjustments on a per diem basis. Previously, hospitals reimbursed on a per discharge basis received DSH payment adjustments on a per discharge basis.
- The Medicaid percentage adjustments described above will be multiplied by 2.0 for children's hospitals or by 3.75 for county-owned or state-owned hospitals.
- Estimated annual aggregate inpatient spending resulting from the changes described above is expected to increase by approximately \$10.1 million.
- Section 148.130 (Outlier Adjustments for Exceptionally Costly Stays) has been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, outlier adjustment rates will be calculated on April 1, 1994, using the methodologies described in this emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program. These changes are expected to be revenue neutral.



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- Numerous changes have been made in Section 148.140 (Hospital Outpatient and Clinic Services). The majority of these changes provide clarification of the current reimbursement methodology as requested by the federal Health Care Financing Administration or add reference to the Healthy Moms/Healthy Kids Program, which is being implemented by the Department under separate emergency amendments to be filed shortly.

In addition to the changes described above in Section 148.140 (Hospital Outpatient and Clinic Services), hospitals eligible for reimbursement under the Hospital Ambulatory Care Program will now be eligible to receive outpatient indigent volume adjustments. These outpatient indigent volume adjustments will be calculated by multiplying the payment made by the Department under the Hospital Ambulatory Care Program by the sum of the hospital's outpatient indigent volume factor and 1.00.

A hospital's outpatient indigent volume factor will be calculated annually based upon a hospital's Medicaid inpatient utilization rate, which will be added to the hospital's uncompensated care utilization rate. The sum of this calculation will then be multiplied by 0.5.

In order to be eligible for outpatient indigent volume adjustment payments, hospitals will be required to submit the data required under Section 148.150 (Uncompensated Care Payment Adjustments) in accordance with these emergency amendments.

Estimated annual aggregate outpatient spending resulting from these changes is expected to increase by approximately \$27 million.

- The uncompensated care payment adjustment described in Section 148.150 (Uncompensated Care Payment Adjustments) will continue to be based upon the number of Medicaid days provided by the hospital in the uncompensated care base fiscal year multiplied by \$52.65. However, for the period July 1, 1993, through June 30, 1994, each hospital qualifying for an uncompensated care payment adjustment will receive an additional uncompensated care payment adjustment that will be calculated by dividing \$16.5 million by the number of Medicaid days provided by all hospitals in the uncompensated care base fiscal year.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately \$16.5 million.

- Section 148.160 (Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over 3 Million) has been revised to reflect that county-owned hospitals will be treated as one

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hospital for the purpose of calculating the reimbursement rate for such county-owned hospitals.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately 28.7 million.

- Section 148.170 (Payment Methodology for State-Owned Hospitals in an Illinois County with a Population of Over 3 Million) has been revised to reflect a change in the methodology for calculating the inflation adjustment. Base year costs, including any adjustments for mandated restructuring, will now be updated from the midpoint of each hospital's base year to the midpoint of the fiscal year for which rates are being set according to the hospital's historical rate of annual cost increases, as described in these emergency amendments.

In addition, State-owned hospitals will now receive supplemental DSH payment adjustments in accordance with the methodology described in these emergency amendments.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately \$87 million.

- Section 148.260 (Calculation and Definitions of Inpatient Per Diem Rates) describes the methodology for calculating inpatient reimbursement rates for psychiatric hospitals, rehabilitation hospitals, long term stay hospitals, and sole community hospitals that elect to be reimbursed under Section 148.260. This Section has been revised to reflect current policy in a number of areas.

Section 148.260 has also been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, a number changes will take place in the reimbursement methodology as follows:

- Reimbursement rates will be calculated on April 1, 1994, using the methodologies described in this emergency amendment. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.
- For the calculation of direct medical education costs, hospitals will be separated into two peer groups, major teaching hospitals and other teaching hospitals. The adjusted direct medical education cost per diem for all hospitals in each peer group will be calculated by utilizing the direct medical education

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cost per diems that were in effect on June 30, 1993. The adjusted direct medical education cost per diem will be rank ordered for all hospitals reporting such costs within each peer group, and capped at the 80th percentile. Hospitals will receive a per diem add-on for direct medical education costs in accordance with the methodology described in these emergency amendments.

- Sole community hospitals will continue to receive an inflation adjustment based upon the national hospital market basket price proxies (DRI). Psychiatric hospitals, rehabilitation hospitals, and long term stay hospitals will receive an inflation adjustment based upon the TEFRA price inflation factor utilized under the federal Medicare Program.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately \$1.5 million.

- Section 148.270 (Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals) has been revised to reflect current policy in a number of areas.

Section 148.270 has also been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, a number changes will take place in the reimbursement methodology as follows:

- Reimbursement rates will be calculated on April 1, 1994, using the methodologies described in these emergency amendments. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.
- Distinct part psychiatric units and distinct part rehabilitation units will receive an inflation adjustment based upon the TEFRA price inflation factor utilized under the federal Medicare Program.

Estimated annual aggregate inpatient spending resulting from these changes is expected to decrease by approximately \$326,000.

- Section 148.280 (Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements) has been revised to reflect current policy.

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Section 148.280 has also been revised to reflect a change in the rate period. The rate period beginning on October 1, 1992, has been extended through March 31, 1994. Effective with rate periods beginning on or after April 1, 1994, reimbursement rates for children's hospitals will be calculated on April 1, 1994, using the methodologies described in these emergency amendments. Rate periods will begin 90 days after the effective date of DRG PPS rates under the federal Medicare Program and will end 90 days after any subsequent DRG PPS rate change under the federal Medicare Program.

Annual aggregate inpatient spending resulting from these changes is expected to remain unchanged.

- Extensive changes have been made to Section 148.290 (Adjustments and Reductions to Total Payments). Many of the changes reflect clarification of current policy. The substantive changes are as follows:

- With respect to the Level II rural trauma center adjustment (TCA), the definition of a rural hospital will change effective July 14, 1993, as described in these emergency amendments at Section 148.25(g)(3).
  - The perinatal and obstetrical adjustments previously made under the critical care access (CCA) hospital provisions of the DSH Program will now be made as adjustments to the basic inpatient reimbursement methodologies.
  - The targeted access payment (TAP) adjustments previously made under the DSH Program will now be made as adjustments to the basic inpatient reimbursement methodologies. These TAP adjustments will now be limited to Illinois hospitals.
  - Certain hospitals will now qualify for Medicaid high volume adjustments (MHVA). Hospitals that qualify for an adjustment under the DSH Program, with the exception of county-owned and State-owned hospitals, will now be eligible to receive a MHVA payment adjustment of \$60 per inpatient day of care provided. The MHVA payment adjustment for a children's hospital will be multiplied by 2.0. The MHVA adjustment described in this paragraph will be adjusted for inflation on October 1, 1993, and annually thereafter, as described in these emergency amendments.
- Illinois hospitals that do not qualify for an adjustment under the DSH Program may also qualify for MHVA payment adjustments if the total number of Medicaid inpatient days provided by the hospital is at least one standard deviation above the mean number of Medicaid inpatient days. In order to qualify for the



## NOTICE OF EMERGENCY AMENDMENTS

MHVA adjustment, hospitals located in a geographic area covered by the managed care component of the Healthy Moms/Healthy Kids Program, which is being implemented by the Department under emergency amendments to be filed shortly, will be required to meet certain criteria as described in these emergency amendments. The distribution method for the MHVA adjustment described in this paragraph will be based upon a fund of \$12 million and will be distributed in accordance with the methodology described in these emergency amendments.

Estimated annual aggregate inpatient spending resulting from these changes is expected to increase by approximately \$71.1 million.

- Extensive changes have been made to Section 148.310 (Review Procedure) to reflect the changes in reimbursement methodologies described above and to reflect the review process for a hospital eligible to receive primary care access health care education payments (89 Ill. Adm. Code 149.140), which is also being revised by the Department under emergency amendments to be effective October 1, 1993.
- Related changes are being proposed:
  - In the Department's rules on the Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149).
  - In the Department's medical payment rules (89 Ill. Adm. Code 140) to directly implement the assessment/license fees required by P.A. 86-861, as amended by P.A. 88-88.
  - In the Department's medical payment rules (89 Ill. Adm. Code 140) to allow for intergovernmental transfers as required by P.A. 88-88.
  - In the Department's medical payment rules (89 Ill. Adm. Code 140) to implement the Healthy Moms/Healthy Kids Program.

These related amendments are also being adopted on an emergency basis.

10) Are there any Proposed Amendments pending to this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.20	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.25	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.40	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.50	Amendment	September 24, 1993 (17 Ill. Reg. 15291)

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Sections	Proposed Action	Illinois Register Citation
148.60	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.70	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.82	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.120	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.130	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.140	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.150	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.160	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.170	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.180	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.200	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.210	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.230	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.240	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.250	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.260	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.270	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.280	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.290	Amendment	September 24, 1993 (17 Ill. Reg. 15291)
148.310	Amendment	July 2, 1993 (17 Ill. Reg. 9840)
148.310	Amendment	September 24, 1993 (17 Ill. Reg. 15291)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Joanne Jones  
 Address: Bureau of Rules and Regulations  
 Illinois Department of Public Aid  
 100 South Grand Avenue East, Third Floor  
 Springfield, Illinois 62762  
 Telephone: (217) 524-3215

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all Offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

The full text of the Emergency Amendments begins on the next page:



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## NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMSPART 148  
HOSPITAL SERVICES

Section	Hospital Services
148.10	Participation
148.20	Definitions and Applicability
<u>EMERGENCY</u>	General Requirements
148.30	Special Requirements
148.40	Covered Hospital Services
<u>EMERGENCY</u>	Services Not Covered as Hospital Services
148.50	Limitation On Hospital Services
<u>EMERGENCY</u>	Organ Transplants Services Covered Under Medicaid (Repealed)
148.60	Organ Transplant Services
<u>EMERGENCY</u>	Heart Transplants (Repealed)
148.70	Liver Transplants (Repealed)
<u>EMERGENCY</u>	Bone Marrow Transplants (Repealed)
148.80	Disproportionate Share Hospital (DSH) Adjustments
148.82	Outlier Adjustments for Exceptionally Costly Stays
<u>EMERGENCY</u>	Hospital Outpatient and <del>Hospital-Based</del> Clinic Services
148.130	Uncompensated Care Payment Adjustments
<u>EMERGENCY</u>	Payment Methodology for County-Owned Hospitals in an Illinois
148.140	County with a Population of Over 3 Million
<u>EMERGENCY</u>	Payment Methodology for State-Owned Hospitals in an Illinois County
148.150	with a Population of Over 3 Million
<u>EMERGENCY</u>	Payment for Pre-operative Days, Patient Specific Orders, and
148.160	Services Which Can Be Performed in an Outpatient Setting
<u>EMERGENCY</u>	Copayments
148.170	Alternate Reimbursement Systems
<u>EMERGENCY</u>	Filing Cost Reports
148.180	
<u>EMERGENCY</u>	
148.190	
<u>EMERGENCY</u>	
148.200	
<u>EMERGENCY</u>	
148.210	
<u>EMERGENCY</u>	

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148.220	Pre September 1, 1991, Admissions
148.230	Admissions Occurring on or after September 1, 1991
<u>EMERGENCY</u>	Utilization Review and Furnishing of Inpatient Hospital Services
148.240	Directly or Under Arrangements
<u>EMERGENCY</u>	Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.250	Calculation and Definitions of Inpatient Per Diem Rates
<u>EMERGENCY</u>	Determination of Alternate Cost Per Diem Rates For All Hospitals;
148.260	and Payment Rates for Certain Exempt Hospital Units; and Payment
<u>EMERGENCY</u>	Rates for Certain Other Hospitals
148.270	Reimbursement Methodologies for Children's Hospitals and Hospitals
<u>EMERGENCY</u>	Reimbursed Under Special Arrangements
148.280	Adjustments and Reductions to Total Payments
<u>EMERGENCY</u>	Payment
148.300	Review Procedure
148.310	Alternatives
<u>EMERGENCY</u>	Exemptions
148.320	Subacute Alcoholism and Substance Abuse Treatment Services
148.330	Definitions
148.340	Types of Subacute Alcoholism and Substance Abuse Treatment Services
148.350	Volume Adjustment (Repealed)
148.360	Payment for Subacute Alcoholism and Substance Abuse Treatment
148.368	Services
148.370	Utilization (Repealed)
148.373	Utilization, Case-Mix and Discretionary Funds (Repealed)
148.376	Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment
148.380	Services
148.390	Hearings
148.400	Special Hospital Reporting Requirements

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3, 4, 5, 6, 7 and 12-13]

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990;

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amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

### Section 148.20 Participation EMERGENCY

- a) Payment for hospital inpatient, and outpatient hospital and clinic services shall be made only to when provided by a hospital, as described in Section 148.25(b), or a distinct part unit, as described in Section 148.25(c), for covered services, as described in Section 148.50, and for the following types of care:

- 1) General/Specialty,
  - 2) Psychiatry,
  - 3) Rehabilitation, and
  - 4) End-Stage-Renal-Disease-Treatment
- b) Notwithstanding any other provisions of this Part, reimbursement to hospitals for services provided October 1, 1992, through March 31, 1994, July 1, 1992, through September 30, 1992, shall be as follows:
- 1) Base Inpatient Payment Rate. For inpatient hospital services rendered, or, if applicable, for inpatient hospital admissions occurring, on and after October 1, 1992, July 1, 1992, and on or before March 31, 1994, September 30, 1992, the Department shall reimburse hospitals for inpatient services under the reimbursement methodologies in effect for each hospital, and at

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### Section 148.20(b)(1) (continued)

the base inpatient payment rate calculated for each hospital, as of June 30, 1993 June 30, 1992. The term "base inpatient payment rate" shall include the reimbursement rates calculated effective October 1, 1992, under the following Sections: 148.130, 148.260, 148.270, and 148.280.

- 2) Exemptions. The provisions of subsection (b)(1) above shall not apply to:

- A) Hospitals reimbursed under Sections 148.82, 148.160, or 148.170. Reimbursement for such hospitals shall be in accordance with Sections 148.82, 148.160, or 148.170, as applicable.
- B) Hospitals reclassified as rural hospitals as described in Section 148.40(f)(4). Reimbursement for such hospitals shall be in accordance with Section 148.40(f)(4) and Section 148.260 or 89 Ill. Adm. Code 149.100(c)(1)(A), whichever is applicable.

- C) The inpatient payment adjustments described in Sections 148.120, 148.150, and 148.290. Reimbursement for such inpatient payment adjustments shall be in accordance with Sections 148.120, 148.150, and 148.290, and shall be in addition to the base inpatient payment rate described in subsection (b)(1) above.

For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for targeted access and critical care, as defined by the Department on June 30, 1992, the payment adjustment for the period July 1, 1992, through September 30, 1992, shall be 25 percent of the annual adjustments calculated for each eligible hospital, as of June 30, 1992.

- 3) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for uncompensated care, as defined by the Department on June 30, 1992, the payment adjustment for the period August 1, 1992, through September 30, 1992, shall be one-eighth of the total uncompensated care payment adjustment calculated for each eligible hospital for the uncompensated care rate year, as defined by the Department, ending on July 31, 1992.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)



Section 148.25 Definitions and Applicability  
EMERGENCY

a) Payment for hospital inpatient, hospital outpatient and hospital ~~hospital-based~~ clinic services shall be made only to a hospital or a distinct part hospital unit as defined in this Section.

b) The term "hospital" means:

1) For the purpose of hospital inpatient reimbursement, any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, which is located in the State and is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act or any institution, place, building or agency, public or private, whether organized for profit or not-for-profit, which meets all comparable conditions and requirements of the Hospital Licensing Act in effect for the state in which it is located. In addition, unless specifically indicated otherwise, for the purpose of inpatient reimbursement, the term "hospital" shall also include: ~~A county-owned hospital in a county with a population of over 3 million and a state-owned hospital in a county with a population of over 3 million~~

A) County-owned hospitals, which shall mean all county-owned hospitals, as defined in subsection (b)(1) above, that are located in an Illinois county with a population of over 3 million. ~~The term "county-owned hospital in a county with a population of over 3 million" means a hospital, as defined in subsection (b)(1) above, that is located in the State of Illinois.~~

B) A ~~The term "State-owned~~ state-owned hospital in a county with a population of over 3 million ~~means a hospital, as defined in the University of Illinois Hospital Act.~~

C) A hospital unit that is adjacent to or on the premises of the hospital and licensed under the Hospital Licensing Act or the University of Illinois Hospital Act.

2) For the purpose of hospital outpatient ~~and hospital-based clinic~~ reimbursement, the term "hospital" shall, in addition to the definition described in subsection (b)(1) above, include an encounter rate hospital. An encounter rate hospital is defined as:

A) An Illinois county-owned hospital located in a county with a population exceeding 3 million; or

Section 148.25(b)(2) (continued)

B) An Illinois county-owned hospital located in a county with a population exceeding 3 million that has provided and that has been paid for 85,000 days or more of inpatient hospital care to recipients of medical assistance during State Fiscal Year 1989; or

C) An Illinois state-owned hospital located in a county with a population exceeding 3 million; or

D) A county-operated outpatient facility located in a county with a population exceeding 3 million that is also located in the State of Illinois.

3) ~~For the purpose of hospital inpatient and outpatient reimbursement, the term "hospital" shall, in addition to the definitions described in subsections (b)(1) and (b)(2) above, include a hospital unit that is adjacent to or on the premises of the hospital and licensed under the Hospital Licensing Act.~~

3) For the purpose of non hospital-based clinic reimbursement, the term "hospital" shall mean:

A) A county-operated outpatient facility, as described in subsection (b)(2)(D) above, or;

B) A Certified Hospital Organized Satellite Clinic, as described in 89 Ill. Adm. Code 140.461(f)(1)(B) and subsection (b)(5)(B) below.

4) For the purpose of hospital-based clinic reimbursement, the term "hospital" shall, in addition to the definitions described in subsections (b)(1) and (b)(2) above, mean include a hospital-based clinic meeting the provisions of 89 Ill. Adm. Code Section 140.461(a) and Section 148.40(d) 140.461(a)(3).

5) For the purpose of Healthy Moms/Healthy Kids reimbursement, as described in 89 Ill. Adm. Code 140.464 and Section 148.140(d)(6), the term "Healthy Moms/Healthy Kids managed care clinic" shall mean a clinic meeting the requirements of 89 Ill. Adm. Code 140.461(f). The following four categories of Healthy Moms/Healthy Kids managed care clinics are recognized under the Healthy Moms/Healthy Kids Program, as described in 89 Ill. Adm. Code 140, Subpart G:

A) Certified Hospital Ambulatory Primary Care Centers



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## Section 148.25(b)(5)(A) (continued)

- (CHAPCC), as described in 89 Ill. Adm. Code 140.461(f)(1)(A);
- B) Certified Hospital Organized Satellite Clinics (CHOSC), as described in 89 Ill. Adm. Code 140.461(f)(1)(B);
- C) Certified Obstetrical Ambulatory Care Centers (COBACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(C); and
- D) Certified Pediatric Ambulatory Care Centers (CPACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(D).

c) For the purpose of hospital inpatient reimbursement, the term "distinct part hospital unit" means a hospital, as defined in subsection (b)(1) above, that meets the following qualification(s):

- 1) Distinct Part Psychiatric Units. A distinct part psychiatric unit is a hospital, with a functional psychiatric unit, that is enrolled with the Department to provide inpatient psychiatric services (category of service 21).
- 2) Distinct Part Rehabilitation Units. A distinct part rehabilitation unit is a hospital, with a functional rehabilitation unit, that is enrolled with the Department to provide inpatient rehabilitation services (category of service 22).
- d) A major teaching hospital is defined as a hospital having four or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation. Except, in the case of a hospital devoted exclusively to physical rehabilitation, as defined in 89 Ill. Adm. Code 149.50(c)(2) ~~Section 149-50(e)~~, or in the case of a children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), only one certified program is required to be so classified.
- e) Except as provided in subsection (d) above, a teaching hospital is defined as a hospital having at least one, but no more than three, graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.
- f) A non-teaching hospital is defined as:

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## Section 148.25(f) (continued)

- 1) A hospital that reports teaching costs on the Medicare or Medicaid cost reports but has no graduate medical education programs; or
- 2) A hospital that reports no teaching costs on the Medicare or Medicaid cost reports and that has no graduate medical education programs.
- g) Definitions. Unless specifically stated otherwise, the definitions of terms used in Sections ~~148-160, 148-170, 148-130, 148-260, 148-270, and 148-280~~, and in 89 Ill. Adm. Code 149 are as follows:
  - 1) "Base period" means the two most recent cost report years for which audited cost reports are available for at least 90 percent of cost reporting ~~all~~ hospitals.
  - 2) "Rate period" means:
    - A) For admissions, or if applicable, dates of service, on or after October 1, 1992, and on or before March 31, 1994, the eighteen month period beginning on October 1, 1992, and ending on March 31, 1994.
    - B) Beginning ~~beginning~~ with admissions, or if applicable, dates of service, on or after April 1, 1994, October 1, 1992, the twelve-month period beginning 90 days after the effective date of DRG PPS rates under the federal Medicare Program on October 1 of the year and ending 90 days after any subsequent DRG PPS rate change under the federal Medicare Program September 30 of the following year.
- 3) "Rural hospital" means a hospital that is:
  - A) Located:
    - i) Outside a metropolitan statistical area; or
    - ii) Located 15 miles or less from a county that is outside a metropolitan statistical area and that is licensed to perform medical/surgical or obstetrical services and has a combined approved total bed capacity of 75 or fewer beds in these two service categories as of the effective date of P.A. 88-88 (July 14, 1993), as determined by the Illinois Department of Public Health.
  - B) The Illinois Department of Public Health must have been

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## Section 148.25(g)(3)(B) (continued)

notified in writing of any changes to a facility's bed count on or before the effective date of P.A. 88-88 (July 14, 1993).

- 4) "Urban hospital" means a hospital that is located in a metropolitan statistical area that does not meet the criteria described in subsection (g)(3) above.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.40 Special Requirements  
EMERGENCY

## a) Inpatient Psychiatric Services

- 1) Payment for inpatient hospital psychiatric services shall be made only to:

- A) A hospital that is a general hospital, as defined in Section 148.25(b), with a functional unit, as defined in Section 148.25(c)(1), that specializes in, and is enrolled with the Department to provide, psychiatric services; or
- B) A hospital, as defined in Section 148.25(b), that holds a valid license as, and is enrolled with the Department as, a psychiatric hospital, as defined in 89 Ill. Adm. Code 149.50(c)(1).
- 2) Inpatient psychiatric services are those services provided to patients who are in need of short-term acute inpatient hospitalization for active treatment of an emotional or mental disorder.
- 3) Inpatient psychiatric services are not covered for Family and Children Assistance (formerly known as General Assistance) program participants who are 18 years of age or older.
- 4) Federal Medicaid regulations preclude payment for patients over 20 or under 65 years of age in any Institution for Mental Diseases (IMD). Therefore, psychiatric hospitals may not receive reimbursement for services provided to patients over the age of 20 and under the age of 65. In the case of a patient receiving psychiatric services immediately preceding his/her

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## Section 148.40(a)(4) (continued)

21st birthday, reimbursement for psychiatric services shall be provided until the earliest of the following:

- A) The date the patient no longer requires the services; or
- B) The date the patient reaches 22 years of age.
- 5) A psychiatric hospital must be accredited by the Joint Commission on the Accreditation of Health Care Organizations to provide services to program participants under 21 years of age or be Medicare certified to provide services to program participants 65 years of age and older. Distinct part psychiatric units and psychiatric hospitals located in the State of Illinois, or within a 100 mile radius of the State of Illinois, must execute an interagency agreement with a DMHDD-operated mental health center (State-operated facilities) for coordination of services including, but not limited to, crisis screening and discharge planning to ensure linkage to aftercare services with private practitioners or community mental health services, as described in subsection (a)(6) below.
- 6) Coordination of Care - Purpose. In accordance with subsection (a)(5) above, distinct part psychiatric units and psychiatric hospitals located in the State of Illinois, or within a 100 mile radius of the State of Illinois, must execute a Coordination of Care Agreement in order to participate as a provider of inpatient psychiatric services. The Coordination of Care Agreement shall set forth an agreement between the DMHDD-operated mental health center (State-operated facility) and the hospital for the coordination of services, including but not limited to crisis screening and discharge planning to ensure efficient use of inpatient care. The agreement shall also set forth the manner in which linkage to aftercare services with community mental health agencies or private practitioners shall be carried out.
- 7) Coordination of Care - General Provisions. The general provisions of the Coordination of Care Agreement described in subsection (a)(6) above are as follows:
- A) The hospital shall agree, on a continuing basis, to comply with applicable licensing standards as contained in State laws or regulations and shall maintain accreditation by JCAHO;
- B) The provider shall comply with Title VI of the Civil Rights



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## Section 148.40(a)(7)(B) (continued)

Act of 1964 and the Rehabilitation Act of 1973 and regulations promulgated thereunder which prohibit discrimination on the grounds of sex, race, color, national origin or handicap;

- C) The provider shall comply with the following applicable federal, State and local statutes pertaining to equal employment opportunity, affirmative action, and other related requirements: 42 U.S.C.A. 2000e (1981), 29 U.S.C.A. 203 et seq. (1982), Ill. Rev. Stat. 1991, ch. 68, pars. 101 et seq. [775 ILCS 25/1 et seq.].
- D) The Coordination of Care Agreement shall remain in effect until amended by mutual consent or cancelled in writing by either party having given thirty (30) days prior notification.
- 8) Coordination of Care - Special Requirements. The hospital shall:
  - A) Provide on its premises the facilities, staff, and programs for the diagnosis, admission, and treatment of persons who may require inpatient care and/or assessment of mental status, mental illness, emotional disability, and other psychiatric problems;
  - B) With the written consent of the individual, notify the community mental health agency that serves the geographic area from which the recipient originated to allow the agency to prescreen the case prior to referring the individual to the designated State-operated facility. The community mental health agency's resources and other appropriate community alternatives shall be considered prior to making a referral to the State-operated facility for admission;
  - C) Complete any forms necessary and consistent with the Mental Health and Developmental Disabilities Code in the event of a referral for involuntary or judicial admission;
  - D) With the written consent of the individual, notify the community mental health agency or private practitioner of the date and time of discharge and invite their participation in the discharge planning process;
  - E) Refer to the State-operated facility only those individuals for whom less restrictive alternatives are documented not

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## Section 148.40(a)(8)(E) (continued)

to be appropriate at the time based on a clinical determination by the community mental health agency, a private practitioner (if applicable), or the hospital; and

- F) Notify the State-operated facility prior to planned transfer of an individual and transfer the individual at such time as to assure arrival of the person prior to 11 a.m. Monday through Friday. In unusual situations, transfers may be made at other times after prior discussion between the hospital and the State-operated facility. The individual will only be transported to the State-operated facility when, based on a clinical determination, he/she is medically stable as determined by the transferring physician. A copy of the transfer summary from the hospital must accompany the recipient at the time of admission to the State-operated facility.
- 9) Coordination of Care - Special Requirements of the State-Operated Facility. The State-operated facility shall:
  - A) Admit individuals who have been screened as defined in the Coordination of Care Agreement and are appropriate for admission consistent with the provisions of the Mental Health and Developmental Disabilities Code.
  - B) Evaluate individuals for whom the hospital has executed a Petition and Certificate for involuntary/judicial admission consistent with the Mental Health and Developmental Disabilities Code.
  - C) Consider for admission voluntary individuals for whom less restrictive alternatives are documented not to be appropriate at the time, based on a clinical determination by the community mental health agency, private practitioner (if applicable), the hospital, or the State-operated facility.
  - 10) A participating hospital not enrolled for inpatient psychiatric services may provide psychiatric care as a general inpatient service only on an emergency basis for a maximum period of 72 hours or in cases in which the psychiatric services are secondary to the services for which the period of hospitalization is approved.
- b) Inpatient Rehabilitation Services



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## Section 148.40(b) (continued)

- 1) Payment for inpatient rehabilitation services shall be made only to a general hospital, as defined in Section 148.25(b), with a functional unit of the hospital, as defined in Section 148.25(c)(2), which specializes in, and is enrolled with the Department to provide, physical rehabilitation services or a hospital, as defined in 89 Ill. Adm. Code 149.50(c)(2), which holds a valid license as, and is enrolled with the Department as, a physical rehabilitation hospital.
- 2) The primary reason for hospitalization is to provide a structured program of comprehensive rehabilitation services, furnished by specialists, to the patient with a major handicap for the purpose of habilitating or restoring the person to a realistic maximum level of functioning.
- 3) Inpatient rehabilitation services are not covered for Family and Children Assistance (formerly known as General Assistance) program participants who are 18 years of age or older.
- 4) For payment to be made, a rehabilitation facility, which includes a distinct part unit as described in Section 148.25(c)(2), must be certified by the Health Care Financing Administration for participation under the Medicare Program (Title XIII) and must be licensed and/or certified by the Illinois Department of Public Health to provide comprehensive physical rehabilitation services. Out-of-state hospitals that specialize in physical rehabilitation services must be licensed or certified to provide comprehensive physical rehabilitation services by the authorized licensing agency in the state in which the hospital is located.
- 5) A rehabilitation facility must meet the following criteria:
  - A) Have a full-time (at least 35 hours per week) director of rehabilitation; a participating general hospital with a functional rehabilitation unit must have a part-time (at least 20 hours per week) director of rehabilitation;
  - B) Have an organized medical staff;
  - C) Have available consultants qualified to perform services in appropriate specialties;
  - D) Have adequate space and equipment to provide comprehensive diagnostic and treatment services;

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## Section 148.40(b)(5) (continued)

- E) Maintain records of diagnosis, treatment progress (notations must be made at regular intervals) and functional results; and
- F) Submit reports as required by the Department of Public Aid.
- 6) A rehabilitation facility must provide, or have a contractual arrangement with an appropriate entity or agency to provide, the following minimal services:
  - A) Full-time nursing services under the supervision of a registered nurse formally trained in rehabilitation nursing;
  - B) Full-time physical therapy and occupational therapy services; and
  - C) Social casework services as an integral part of the rehabilitation program.
- 7) A rehabilitation facility must have available the following minimal services:
  - A) Psychological evaluation services;
  - B) Prosthetic and orthotic services;
  - C) Vocational counseling;
  - D) Speech therapy;
  - E) Clinical laboratory and x-ray services; and
  - F) Pharmacy services.
- 8) The director of rehabilitation must meet the following criteria:
  - A) Provide services to the hospital and its patients as specified in subsection (b)(5) above;
  - B) Be a doctor of medicine or osteopathy;
  - C) Be licensed under State law to practice medicine or surgery; and
  - D) Must have, after completing a one-year hospital internship,

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at least two years of training or experience in the medical management of inpatients requiring rehabilitation services.

- 9) Personnel of the rehabilitation facility must meet the following minimum standards:

- A) Physicians shall have unlimited licenses to practice medicine and surgery in the state in which they practice. Consultants shall be Board Qualified or Board Certified in their specialty.
- B) Physical therapists shall be licensed by the Illinois Department of Professional Regulation.
- C) Occupational therapists shall be licensed by the Illinois Department of Professional Regulation.
- D) Registered nurses and licensed practical nurses shall be currently licensed by the Illinois Department of Professional Regulation or comparable licensing agency in the State in which the facility is located.
- E) Social workers shall have completed two years of graduate training leading to a Master's Degree in social work from an accredited graduate school of social work.

- F) Psychologists shall have a Master's Degree in clinical psychology.

- G) Vocational counselors shall have a Master's Degree in Rehabilitation Counseling, Psychology or Guidance from a school accredited by the North Central Association or its equivalent.

- H) An orthotist or prosthetist, certified by the American Board of Certification in Orthotics and Prosthetics shall fabricate or supervise the fabrication of all limbs and braces.

- c) End-Stage Renal Disease Treatment (ESRDT) Services. The Department provides payment to hospitals, as defined in Section 148.25(b), for ESRDT services only when the hospital is Medicare certified for ESRDT and services are provided as follows:

- 1) Inpatient hospital care is provided for the evaluation and treatment of acute renal disease;

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- 2) Outpatient chronic renal dialysis treatments are provided in the outpatient renal dialysis department of the hospital, a satellite unit of the hospital that is professionally associated with the center for medical direction and supervision, or a free-standing chronic dialysis center certified by Medicare, pursuant to 42 CFR 405, Subparts S and U (1984), and the recipient is approved by the Illinois Department of Public Health (IDPH) or the Department of Health and Human Services (DHHS) as eligible for ESRDT services; or

- 3) Home dialysis treatments are provided through the outpatient renal dialysis department of the hospital, a satellite unit of the hospital that is professionally associated with the center for medical direction and supervision, in a patient's home, or through a free-standing chronic dialysis center certified by Medicare, pursuant to 42 CFR 405, Subparts S and U (1984), and the recipient is approved by the Illinois Department of Public Health (IDPH) or the Department of Health and Human Services (DHHS) as eligible for ESRDT services.

- d) Hospital-Based Organized Clinic Services. Hospital-based clinics, as described in Section 148.25(b)(4), must meet the requirements of 89 Ill. Adm. Code 140.461(a) 140.461(e)(3). The following four categories of hospital-based organized clinic services are recognized in the Medical Assistance Program:

- 1) General Clinic Services. General clinic services are diagnostic, therapeutic and palliative services provided under the direction of a physician who provides for the health care needs of persons who elect to use this type of service rather than another source of primary care. In order to participate as a provider of general clinic services, a hospital must meet the following requisites:

- A) The hospital must be enrolled for participation in the Medical Assistance Program to provide general inpatient (category of service 20) and general outpatient (category of service 24) hospital services.

- B) Personnel

- i) The clinic must be organized as a distinct hospital department with a qualified, trained executive in charge of all activities and responsible to the administration of the hospital;

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- ii) An advisory medical council must function to assist the executive officer in formulating policies for the management and care of clinic patients;
- iii) The qualifications of the medical staff of the clinic must meet the same requirements that apply to the hospital staff;
- iv) Nursing services must be provided by licensed nurses under the supervision of a registered professional nurse (R.N.); and
- v) A dietician must be available to instruct the patients regarding special diets and to plan with the patients in the buying and preparation of food.

## C) Program

- i) The program of the clinic must ensure the provision of comprehensive, high quality, personalized, and continuous health care services to its patients. This means that, at a minimum, the clinic must provide or contract for the services of a sufficient number of primary and specialty care physicians to meet the health needs of patients of the clinic, and must have provisions made for the back-up care of patients when the clinic is not open;

- ii) The laboratory, x-ray, and special therapy services must be available for clinic patients, as needed;

- iii) The pharmacy must be an integral part of the clinic organization; and

- iv) The medical social services in the clinic must be integrated with those in the hospital.

- D) Physical Setting and Equipment. The size, location, ventilation, and lighting of accommodations for interviewing, examining, and treating patients and appropriate equipment must be adequate to serve the number and needs of patients accepted by the clinic;

## E) Records

- i) Clinic records must accurately reflect the patient's

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## Section 148.40(d)(1)(E)(i) (continued)

condition and contain all significant facts bearing on the case, i.e., history, symptoms and complaints, physical examination findings, laboratory and x-ray procedures, and medications ordered and their results, diagnosis, treatment given or recommended and the patient's response to treatment; and

- ii) Clinic records must contain the dates of service and the name of the medical practitioner seeing the patient at the time of each clinic visit.

## 2) Psychiatric Clinic Services

- A) Psychiatric Clinic Services (Type A). Type A psychiatric clinic services are clinic service packages consisting of diagnostic evaluation; individual, group and family therapy; medical control; optional Electroconvulsive Therapy (ECT); and counseling, provided in the hospital clinic setting for individuals through the age of ~~twenty-one~~-(21).

- B) Psychiatric Clinic Services (Type B). Type B psychiatric clinic services are active treatment programs in which the individual patient is participating in no less than social, recreational, and task-oriented activities at least four ~~44~~ hours per day at a minimum of three ~~(3)~~ half days of active treatment per week. The duration of an individual patient's participation in this treatment program is limited to six ~~(6)~~ months in any twelve ~~(12)~~ month period.

- C) Coverage. Psychiatric clinic services are covered for all Medicaid-eligible individuals. The services are not covered for Family and Children Assistance (formerly known as General Assistance) program participants who are 18 years of age or older.

- D) Approval. The Illinois Department of Mental Health and Developmental Disabilities (DMHDD) and the Illinois Department of Public Aid (IDPA) are responsible for approval and enrollment of community hospitals providing psychiatric clinic services. In order to participate as a provider of psychiatric clinic services, a hospital must be enrolled for the provision of inpatient psychiatric services and execute a Psychiatric Clinic Services Type A and B Enrollment Assurance with DMHDD and the Department, which assures that the hospital is enrolled for the



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provision of inpatient psychiatric services and meets the following requisites:

- i) The hospital must be accredited by, and be in good standing with, the Joint Commission on Accreditation of Health Care Organizations (JCAHO);
- ii) The hospital must have executed a Coordination of Care Agreement between the hospital and the designated Illinois Department of Mental Health and Developmental Disabilities' State-operated facility serving the mentally ill in the appropriate geographic area;
- iii) The clinical staff of the psychiatric clinic must collaborate with the mental health service network to provide discharge, linkage and aftercare planning for recipients of outpatient services;
- iv) The hospital must agree to participate in Local Area Networks in compliance with P.L. 99-660 and P.A. 86-844; and
- v) The hospital must be enrolled to participate in Medicaid Program (Title XIX) and must meet all conditions and requirements set forth by the Illinois Department of Public Aid.

E) Duration of Approval. The approval described in subsection (d)(2)(D) above shall be in effect for a period of two years from the date IDPA approves the psychiatric clinic's enrollment. The approval may be terminated by IDPA or DMHDD with cause upon thirty-(30) days written notice to the hospital. Accordingly, the hospital must submit a thirty-(30) day written notification to IDPA and DMHDD when terminating delivery of psychiatric clinic services.

## 3) Physical Rehabilitation Clinic Services

- A) Physical rehabilitation clinic services include the same rehabilitative services provided to inpatients by hospitals enrolled to provide the services described in Section 148.40(b). Clinic services should be utilized when the patient's condition is such that it does not necessitate inpatient care and adequate care and treatment can be obtained on an outpatient basis through the hospital's specialized clinic.

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- B) Physical rehabilitation clinic services are not covered for Family and Children Assistance (formerly known as General Assistance) program participants who are 18 years of age or older.

e) Healthy Moms/Healthy Kids Managed Care Clinics. Healthy Moms/Healthy Kids managed care clinics, as described in 89 Ill. Adm. Code 140.461(f) and Section 148.25(b)(5), must meet the requirements of 89 Ill. Adm. Code 140.461(f).

f) Transition to the Diagnosis Related Grouping Prospective Payment System (DRG PPS)

- 1) Effective with admissions occurring on or after September 1, 1991, and before October 1, 1992, hospitals shall be reimbursed in accordance with the statutes and administrative rules governing the time period when the services were rendered. Sections 148-80, 148-160, 148-170, 148-250 through 148-300, of 89 Ill. Adm. Code 149, as applicable, Hospitals designated as sole community hospitals effective September 1, 1991, shall retain that designation and continue to be reimbursed under the methodology that was in effect on June 30, 1992, for the period July 1, 1992, through September 30, 1992. Hospitals that, on August 31, 1991, had a contract in effect with the Department under the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 23, par. 6501-1 et seq.) that elected to continue to be reimbursed at rates stated in such contracts for general and specialty care effective September 1, 1991, shall continue to be reimbursed at rates stated in such contracts for general and specialty care for the period July 1, 1992, through September 30, 1992.

- 2) Effective with admissions occurring on or after October 1, 1992, hospitals that, on August 31, 1991, had a contract in effect with the Department under the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 23, par. 6501-1 et seq.) and that elected, effective September 1, 1991, to be reimbursed at rates stated in such contracts, may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care in accordance with subsection (g) of this Section.

- 3) In the case of a hospital that was determined by the Department to be a rural hospital at the beginning of the rate period described in Section 148.25(g)(2)(A), effective October 1, 1992, for hospitals located in rural areas, those hospitals that shall

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be treated as sole community hospitals, as described in 89 Ill. Adm. Code 149.125(b), shall elect one of the following payment methodologies to be used by the Department in reimbursing that hospital for inpatient services during the rate period described in Section 148.25(g)(2)(A):

- A) the DRG PPS, as described in 89 Ill. Adm. Code 149, or
- B) the rate calculated under Section 148.260 Sections 148-250 through 148-300.

4) In the case of a hospital that was not determined by the Department to be a rural hospital at the beginning of the rate period described in Section 148.25(g)(2)(A), but was subsequently reclassified by the Department as a rural hospital, as described in Section 148.25(g)(3), on July 14, 1993, those hospitals that shall be treated as sole community hospitals, as described in 89 Ill. Adm. Code 149.125(b), shall elect one of the following payment methodologies to be used by the Department in reimbursing that hospital for inpatient admissions, or, if applicable, for inpatient services provided on October 1, 1993, and for the duration of the rate period described in Section 148.25(g)(2)(A):

- A) the DRG PPS, as described in 89 Ill. Adm. Code 149, subject to the provisions of 89 Ill. Adm. Code 149.100(c)(1), or
- B) the rate calculated under Section 148.260 that would have been in effect for the rate period described in Section 148.25(g)(2)(A) if the hospital had been designated as a sole community hospital on October 1, 1992.

5) For the rate periods described in Section 148.25(g)(2)(B), hospitals, as described in 89 Ill. Adm. Code 149.125(b), shall elect one of the following payment methodologies to be used by the Department in reimbursing that hospital for inpatient admissions, or, if applicable, for inpatient services provided during such rate periods described in Section 148.25(g)(2)(B):

- A) the DRG PPS, as described in 89 Ill. Adm. Code 149, subject to the provisions of 89 Ill. Adm. Code 149.100(c)(1), or
- B) the rate calculated under Section 148.260.

g)f) Annual Irrevocable Election

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## Section 148.40(g) (continued)

1) Hospitals described in subsections (f)(2) and (f)(3) ~~(e)(2)-and (e)(3)~~ above may elect to be reimbursed under the special arrangements described in subsections ~~(f)(2) and (f)(3)~~ ~~(e)(2)-and-(e)(3)~~ above at the beginning of each rate period.

2) Hospitals described in subsection (f)(4) above may elect to be reimbursed under the special arrangements described in subsection (f)(4) above effective with admissions, or, if applicable, with inpatient services provided, on October 1, 1993, and for the duration of the rate period described in Section 148.25(g)(2)(A).

3) Hospitals described in subsection (f)(5) above may elect to be reimbursed under the special arrangements described in subsection (f)(5) above at the beginning of each rate period described in Section 148.25(g)(2)(B).

4)2) Once a sole community hospital elects to be reimbursed under the DRG PPS, it may not later in that rate period elect to be classified as exempt. Once a sole community hospital elects to be reimbursed as exempt, it may not later in that rate period elect to be reimbursed under the DRG PPS.

5)3) Hospitals that, on August 31, 1991, had a contract with the Department under the Illinois Health Finance Reform Act may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care. Once such election has been made, the hospital may not later in that rate period elect to be reimbursed under any other methodology.

6)4) Hospitals that, on August 31, 1991, had a contract with the Department under the Illinois Health Finance Reform Act and have elected to be reimbursed under the DRG PPS may not later elect to be reimbursed at rates stated in such contracts.

## h)g) Notification of Reimbursement Methodology

1) Hospitals shall receive notification from the Department with respect to the reimbursement methodologies that shall be in effect for admissions occurring during the rate period.

2) Hospitals described in subsections (f)(2), (f)(3), (f)(4), and (f)(5) ~~(e)(2)-and-(e)(3)~~ above shall receive notification of their reimbursement options accompanied by a Choice of Reimbursement form. Each hospital described in subsections



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(f)(2), (f)(3), (f)(4), and (f)(5) ~~(e)(2) and (e)(3)~~ above shall have ~~thirty~~(30) days from the date of such notification to file, with the Department, the reimbursement method of choice for the rate period. In the event the Department has not received the hospital's Choice of Reimbursement form within ~~thirty~~(30) days from the date of notification, as described above, the hospital will automatically be reimbursed for the rate period under the reimbursement methodology that would have been in effect without benefit of the election described in subsection (g) ~~(f)~~ above.

i) ~~h)~~ Zero Balance Bills. The Department requires a hospital to submit a bill for any inpatient service provided to an Illinois Medicaid eligible person, including newborns, regardless of payer. A "zero balance bill" is one on which the total "prior payments" are equal to or exceed the Department's liability on the claim. The Department requires that zero balance bills be submitted subsequent to discharge in the same manner as are other bills so that information can be available for the maintenance of accurate patient profiles and diagnosis-related grouping (DRG) data, and information needed for calculation of disproportionate share and other rates. The provisions of this subsection apply to all hospitals regardless of the reimbursement methodology under which they are reimbursed.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

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## Covered Hospital Services

a) The Department shall pay hospitals for the essential provision of inpatient, outpatient, and ~~hospital-based~~ clinic diagnostic and treatment services not otherwise excluded or limited which are provided by a hospital, as described in Section 148.25(b), or a distinct part unit, as described in Section 148.25(c), and which are provided in compliance with hospital licensing standards. Payment may be made for the following types of care subject to the special requirements described in Section 148.40:

- 1) General/specialty services;
- 2) Psychiatric services;
- 3) Rehabilitation services; and

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4) ~~End-Stage Renal Disease Treatment (ESRDT) services.~~  
b) Certain programs are administered as hospital covered services with certain restrictions. These programs include hospital residing long term care services, subacute alcoholism and substance abuse treatment services, and the transplant program.

c) ~~b)~~ Hospital Residing Long Term Care Services

1) Long term care services are not considered by the Department to be hospital services unless the hospital is enrolled with the Department specifically to provide hospital residing long term care services as a hospital-based long term care facility.

Hospital residing long term care is care provided by hospitals to non-acute patients requiring chronic, skilled nursing care when a skilled nursing facility bed is not available, or non-acute care provided by hospitals that is not routinely performed within a skilled setting, such as ventilator care, when appropriate placements are not available to discharge the patient. Hospitals may not utilize the following beds or facilities for hospital services unless the hospital is enrolled with the Department to provide hospital residing long term care:

- A) A special unit or specified beds which are certified for skilled nursing facility services under the Medicare Program; or
  - B) A special unit or separate facility administratively associated with the hospital and licensed as a long term care facility.
- 2) There are three categories of service for hospital residing long term care. These categories are as follows:
- A) Skilled Care - Hospital Residing (category of service 37)  
Reimbursement is available for hospitals providing hospital residing long term care when the patients' needs reflect routine skilled care and the inability to place the patient is due to unavailability of a skilled nursing bed.  
Reimbursement for this type of care is at the average statewide rate for skilled nursing care. For a hospital to be eligible for such reimbursement, the following criteria must be met:
  - i) The hospital must document its attempt to place the



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patient in at least five appropriate facilities.

ii) Documentation (form DPA 3127) must be attached to the appropriate claim form and submitted to the Department.

iii) Reimbursement is limited to services provided after the minimum number of contacts have been made. Reimbursement will not be made for services which were billed as acute inpatient care and denied as not being medically necessary. Reimbursement will be made for up to a maximum of 31 days before additional documentation must be submitted to extend the eligibility for additional reimbursement.

B) Exceptional Care - Hospital Residing (category of service 38)

Reimbursement is available for hospitals providing hospital residing long term care when the level of care is not routinely performed within a skilled setting, such as ventilator care, and the patient cannot be placed in a skilled nursing facility because the level of care is not available. Exceptional care is defined by the Department as the level of care required by persons who are medically stable and ready for discharge from a hospital but who require a multi-disciplinary level of care for physician, nurse, and ancillary specialist services with exceptional costs related to extraordinary equipment and supplies that have been determined to be a medical necessity. This includes, but is not limited to, persons with acquired immune deficiency syndrome (AIDS) or a related condition, head injured persons, and ventilator dependent persons. Reimbursement for this type of care is at the average statewide rate for exceptional care. For a hospital to be eligible for such reimbursement, the following criteria must be met:

i) The hospital must document its attempt to place the patient in at least five appropriate facilities.

ii) Documentation (form DPA 3127) must be attached to the appropriate claim form and submitted to the Department.

iii) Reimbursement is limited to services provided after the minimum number of contacts have been made.

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## Section 148.50(c)(2)(B)(iii) (continued)

Reimbursement will not be denied as not being medically necessary. Reimbursement will be made for up to a maximum of 31 days before additional documentation must be submitted to extend the eligibility for additional reimbursement.

C) DD/MI Non-Acute Care - Hospital Residing (category of service 39)

Reimbursement is available for hospitals providing hospital residing long term care when the pre-admission screening agent has not completed the assessment, planning or discharge process. Reimbursement for this type of care is at the average statewide DD/MI rate. For a hospital to be eligible for such reimbursement, the following criteria must be met:

i) The hospital must document that the pre-admission screening agent has not completed the assessment, planning or discharge process.

ii) Reimbursement is limited to a maximum of three non-acute level of care days. Reimbursement will not be made for services which were billed as acute inpatient care and denied as not being medically necessary.

d) Subacute Alcoholism and Substance Abuse Treatment Services

1) Subacute alcoholism and other substance abuse treatment is a covered service for clients under Title XIX (Medicaid) and for children 13 to or through 18 years of age in Family and Children Assistance cases in the City of Chicago.

2) Only acute alcoholism and substance abuse treatment services (detoxification) are covered as hospital services. Regulations regarding reimbursement for subacute alcoholism and substance abuse treatment services may be found under Sections 148.340 through 148.390.

e) Transplant Program

The Medical Assistance Program provides for payment for organ transplants only when provided by a certified transplantation center as described in Section 148.82. Payment for kidney and cornea transplants does not require enrollment as an approved

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## Section 148.50(e) (continued)

transplantation center. Payment for kidney and cornea transplants is made in accordance with the appropriate methodology described in Sections 148.160, 148.170, 148.250 through 148.300, or 89 Ill. Adm. Code 149.100 and 149.150. Kidney acquisition costs shall be reimbursed in accordance with 89 Ill. Adm. Code 149.150(c)(5). Payment for bone marrow, heart, liver, pancreas, kidney/pancreas and other types of transplant procedures may be covered and reimbursed in accordance with Section 148.82 provided the hospital is certified by the Department to perform the transplant.

1) Inappropriate Level of Care Program--Under the inappropriate level of care program, hospitals may be reimbursed for providing care to non-acute patients requiring chronic, skilled nursing when a skilled nursing facility bed is not available. For a hospital to be eligible for such reimbursement, the following criteria must be met:

- A) The hospital must document its attempt to place the patient in at least five (5) appropriate facilities and
- B) Documentation must be submitted to the Department at the time of billing

2) Reimbursement under the Inappropriate Level of Care Program is limited to services provided after the minimum number of contacts specified in subsection (b)(1)(A) above have been made. Reimbursement shall not be made for services which were billed as acute inpatient care and denied as not being medically necessary. Reimbursement shall be made for up to a maximum of 31 days before additional documentation must be submitted to extend the eligibility for additional reimbursement.

3) There are two levels of care and rates associated with the program

- A) If the patient's needs reflect routine skilled care and the inability to place the patient is due to unavailability of a skilled nursing bed, the appropriate rate shall be the average skilled statewide rate for skilled nursing care
- B) If the level of care required is not routinely performed within a skilled setting, such as ventilator care, and the patient cannot be placed in a skilled nursing facility because the level of care is not available, the appropriate rate to the average statewide negotiated rate for exceptional care as described in subsection (a)(4) below

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4) Exceptional Care Program--Exceptional Care is the level of medical care required by persons who are medically stable and ready for discharge from a hospital but who require a multi-disciplinary level of care for physician, nurse, and ancillary specialist services with exceptional costs related to extraordinary equipment and supplies that have been determined to be a medical necessity. This includes, but is not limited to, persons with Acquired Immune Deficiency Syndrome (AIDS)-sera related condition, head-injured persons, and ventilator dependent persons. Consideration may be given to those residents currently residing in a facility who require a multi-disciplinary level of care and meet criteria as stated in 89 Ill. Adm. Code 140.569(j)(2). The method utilized for placement of an exceptional care person shall be as follows:

- A) If hospital-residing long-term care reimbursement is requested under the Exceptional Care Program, the discharging hospital in which the patient is located shall contact the IDPA Exceptional Care nurse assigned to their particular area
- B) If determined that the request for Exceptional Care is appropriate, the IDPA Exceptional Care nurse shall conduct an assessment at the hospital to determine if the patient meets Exceptional Care criteria
- C) If the patient is approved by the IDPA Exceptional Care nurse, the patient may be transferred to the contracting nursing facility. The transfer process is the responsibility of the hospital-discharge planner or social worker. The Exceptional Care nurse shall be notified of the date the patient has been discharged to the long-term care facility.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.60 Services Not Covered as Hospital Services  
EMERGENCY

Certain services, although included in the Medical Assistance Program and under certain circumstances provided in the hospital setting or by an entity associated with the hospital, are not reimbursed by the Department as hospital services. In addition, certain services currently provided in the hospital outpatient and hospital-based clinic setting are subject to fee-for-service



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## Section 148.60 (continued)

payment methodologies. This means that for these services, hospitals shall be required to conform to the policies and billing procedures in effect for other non-hospital providers of services. Payment for these services shall be based on the same fee schedule that applies to these services when they are provided in the non-hospital setting. Services not covered or reimbursed as hospital services are as follows:

- a) Private Duty Nursing Services. Hospitals may not enroll to provide private duty nursing services. Hospitals are expected to provide all required nursing services, and generally, persons requiring special nursing care are placed in an intensive care unit.
- b) Sitter Services. Sitter services for hospitalized program participants are not covered under the Medical Assistance Program.
- c) Dental Services. Hospitals may not enroll to provide dental services. When dental services are provided in the outpatient/clinic setting of a hospital, the dentist shall submit charges to the Department according to the provisions of the Dental Program.
- d) Nurse Anesthetist Services. Payment for general anesthesia services not reimbursed under 89 Ill. Adm. Code 140.400 shall be made only to hospitals that qualify for these payments under the Medicare Program (Title XIII) and shall be made to such hospitals when provided by a hospital employed nonphysician anesthetist (Certified Registered Nurse Anesthetist or "CRNA").
- e) Pharmacy Services. Policy and reimbursement for pharmacy services is described in 89 Ill. Adm. Code 140.440 through 140.450. A hospital pharmacy may enroll on a fee-for-service basis for services provided to a patient in:
  - 1) A specified bed or special hospital unit which is certified for skilled nursing facility services under the Medicare Program;
  - 2) A special hospital unit or separate facility which is administratively associated with the hospital and is licensed as a long term care facility;
  - 3) The emergency room when the services provided are not true emergency services; or
  - 4) The outpatient/clinic setting when the services provided are not unique to the hospital setting.
- f) Medical Transportation Services. A hospital that owns and operates

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## Section 148.60(f) (continued)

medical transportation vehicles as a separate entity, e.g., a private corporation, must enroll as a medical transportation provider. A hospital that owns and operates medical transportation vehicles that are included on the hospital's cost report as a cost center of the hospital may not submit a separate claim for transportation services provided to persons admitted as inpatients. Policy and reimbursement for medical transportation services is described in 89 Ill. Adm. Code 140.490 through 140.492.

- g) Home Health Services. Home health services are not considered by the Department to be hospital services. A home health agency that is administratively associated with a hospital and that is certified for participation as a home health agency by the Medicare Program may apply for participation for the provision of home health services. Policy and reimbursement for home health services is described in 89 Ill. Adm. Code 140.470 through 140.474.
- h) Subacute Alcoholism and Substance Abuse Treatment Services. Only acute alcoholism and substance abuse treatment services (i.e., detoxification) are covered as hospital services. Regulations regarding reimbursement for subacute alcoholism and substance abuse treatment services may be found under Sections 89-III-Adm-Gede 148.340 through 148.390.
- i) Hospice Services. Hospice is an alternative to traditional Medicaid coverage. The Hospice Program is responsible for all the client's medical needs related to a terminal illness. If a client chooses the Hospice Program, a physician must certify that the client is terminally ill and has a life expectancy of six months or less.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.70 Limitation On Hospital Services  
EMERGENCY

- a) Payment for inpatient hospital care in general and specialty hospitals shall be made only when it is recommended by a qualified physician and the care is essential as determined by the appropriate utilization review authority. For hospitals or distinct part units reimbursed on a per diem basis under Sections 148.160 through 148.170 and 148.250 through 148.300, payment shall not exceed the number of days approved for the recipient's care by the appropriate utilization review authority (see Section 148.240). If Medicare benefits are not



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## Section 148.70(a) (continued)

paid because of non-approval by the utilization review authority, payment shall not be made on behalf of the Department.

- b) For hospitals or distinct part units reimbursed on a per case basis, payment for inpatient hospital services shall be made in accordance with 89 Ill. Adm. Code Part 149.
- c) For hospitals, or distinct part units reimbursed on a per diem basis, under Sections 148.160 through 148.170 and 148.250 through 148.300, payment for inpatient hospital services shall be made based on calendar days. The day of admission shall be counted. The day of discharge shall not be counted. An admission with discharge on the same day shall be counted as one day. If a recipient is admitted, discharged and re-admitted on the same day, only one day shall be counted.

- d) In obstetrical cases, payment for services to both the mother and the newborn child shall be made at one per diem rate, or one per case rate, whichever is applicable. Only in instances in which the medical condition of the newborn, as certified by the utilization review authority, necessitates care in other than the newborn nursery, shall payment be made in the child's name separately.

- e) Payment for inpatient psychiatric hospital care in a psychiatric hospital, as defined in 89 Ill. Adm. Code 149.50(c)(1), shall be made only when such services have been provided in accordance with federal regulations at 42 CFR Part 441, Subparts C and D. Payment for all inpatient psychiatric services is subject to a prepayment review. All prepayment review shall be conducted by the Department's designated peer review agent. Prepayment review shall be used to determine the appropriateness and necessity of the inpatient psychiatric care. Only inpatient psychiatric care medically necessary, as determined by a physician licensed to practice medicine in all its branches, will be reimbursed by the Department. The following criteria exemplify the factors that shall be used to determine the medical necessity of inpatient psychiatric care:

- 1) The patient's condition indicates that he or she suffers from an acute psychological or physiological disorder requiring inpatient hospital intervention (including, but not limited to: acute disabling symptoms as a response to bio-psycho-social stress; acute danger to self or others; the medical necessity for interventions possible only in an inpatient hospital setting); and
- 2) A comprehensive treatment plan has been developed and progress

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## Section 148.70(e)(2) (continued)

documented for the patient (including, but not limited to: physician's progress notes; participation in medical psychotherapy; assessment of available rehabilitative resources; creation of treatment goals).

- f) Payment for transplantation ~~transplant~~ costs (with the exception of kidney and cornea transplants), including organ acquisition costs, shall be made only when provided by an approved transplantation center as described in Section 148.82 ~~148-80(e)-through-(h)~~. Payment for kidney and cornea ~~transplantation transplant~~ costs does not require enrollment as an approved transplantation center. Payment for kidney acquisition costs does not require enrollment as an approved transplantation center, but is only provided to hospitals reimbursed on a per case basis in accordance with 89 Ill. Adm. Code 149.

- g) Payment for end-stage renal disease treatment shall be made only when provided to recipients who have been screened by and meet medical criteria established by the Department of Public Health.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.82 Organ Transplant Services  
EMERGENCY

## a) Introduction

The Department of Public Aid will cover organ transplants as identified under subsection (b) below which are provided by certified organ transplant centers which meet the requirements specified in subsections (c) through (h) of this Section.

## b) Covered Services

- 1) Bone Marrow, heart, liver, or pancreas/pancreas-kidney transplantation excluding bone marrow searches.
- 2) Other types of transplant procedures may be covered when a hospital has been certified by the Department as a transplant center eligible to perform such transplants. Centers must complete the certification process established in Section 148.82(c) ~~148-80(e)~~ and provide the necessary documentation of the number of transplant procedures performed and the survival rates.

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## Section 148.82(b) (continued)

- 3) Medically necessary work-up and evaluation up to three (3) days prior to transplantation.

## c) Certification Process

- 1) In order to be certified to receive reimbursement for transplants performed on Medicaid patients, the hospital must:
  - A) Request an application from the Bureau of Hospital Services;
  - B) Submit a completed application to the Department for the type of transplant for which the center is seeking certification;
  - C) Meet certification criteria established in subsection (d) below, based upon review and recommendation of each application by the State Medical Advisory Committee (SMAC); and
  - D) Submit a detailed status report on each patient for the type of transplant for which the hospital is seeking certification. Such reports must include the date of transplant, the length of hospitalization, charges, survival rates, patient-specific transplant outcome, and complications (including cause of death, if applicable) for all transplants performed for the two years preceding the date of the application. To protect the privacy of patients included in this report, names of Medicaid and non-Medicaid patients are not required.

- 2) The Department shall notify the hospital of approval or denial of the hospital as a transplant center for Medicaid eligible patients.

- 3) In the event that no hospital formally certified by the Department is able to provide a covered service set forth in subsection (b) above within the time frame necessary to preserve the recipient's health, the Department shall review a request for prior approval of the service from a non-certified facility, and if the facility satisfies the criteria for certification, approve the request on an individual case basis.

## d) Certification Criteria

- 1) Hospitals seeking certification as a transplant center shall submit documentation to verify that:

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## Section 148.82(d)(1) (continued)

- A) The hospital is a tertiary care hospital capable of providing all necessary medical care required by the transplant patient;
- B) The hospital is affiliated with an academic health center;
- C) The hospital has had the transplant program for heart and liver transplants in operation for at least three years with twelve (12) transplant procedures per year for the past two years and twelve (12) cases before that for adult heart and liver transplants;
- D) The hospital has had the transplant program for adult and pediatric bone marrow transplants in operation for at least two years with twelve transplant procedures per year for the past two years;
- E) A hospital specializing in pediatric heart and/or liver transplants must have a program in operation for at least three years and must have performed a minimum of six transplant procedures per year for the past two years, and six before that;
- F) The hospital has had the transplant program in operation for at least three years with 25 transplant procedures per year for the past two years and 25 cases before that for kidney transplants, and five transplant procedures per year for the past two years and five before that for pancreas transplants, or twelve (12) transplant procedures per year for the past two years and twelve (12) before that for kidney/pancreas transplants;
- G) The hospital has experts, on staff, in the fields of cardiology, anesthesiology, immunology, infectious disease, nursing, social services, organ procurement, associated surgery and internal medicine to complement the transplant team. In addition, in order to qualify as a transplant center for pediatric patients, the hospital must also have experts in the field of pediatrics;
- H) The hospital has an active cardiovascular medical and surgical program as evidenced by the number of cardiac catheterizations, coronary arteriograms and open heart procedures per year for heart transplant candidates;
- I) The hospital has pathology resources that are available for

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## Section 148.82(d)(1)(I) (continued)

- studying and reporting the pathological responses for transplantation;
- J) The hospital complies with applicable State and Federal laws and regulations;
- K) The hospital participates in a recognized national donor procurement program, abides by its rules, and provides the Department with the name of the national organization of which it is a member;
- L) The hospital has an interdisciplinary body to determine the suitability of candidates for transplantation;
- M) The hospital has blood bank support necessary to meet the demands of a certified transplant center; and
- N) The hospital meets the applicable transplant survival rates as supported by the Kaplan-Meier method or other method accepted by the Department:
- i) A one-year survival rate of 50 percent for bone marrow transplant patients;
  - ii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for heart transplant patients;
  - iii) A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for liver transplant patients.
  - iv) A one-year survival rate of 90 percent for kidney transplant and a one-year survival rate of 80 percent for pancreas transplant; or a one-year survival rate of 80 percent for kidney/pancreas transplant.
- 2) The commitment of the hospital to support the transplant center must be at all levels as evidenced by such factors as financial resources, allocation of space and the support of the professional staff for the transplant program and its patients. The hospital must demonstrate that:
- A) Component teams are integrated into a comprehensive transplant team with clearly defined leadership and responsibility;

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## Section 148.82(d)(2) (continued)

- B) The hospital safeguards the rights and privacy of patients;
- C) The hospital has adequate patient management plans and protocols to meet the patient and hospital's needs.
- 3) The hospital must identify, in writing, the director of the transplant program and the members of the team as well as their qualifications. Physician team members must be identified as board certified, in preparation for board certification, or pending board certification, and the transplant coordinator's name must be submitted.
- 4) The hospital must provide patient selection criteria including indications and contraindications for the type of transplant procedure for which the facility is seeking certification.
- e) Recertification Process/Criteria
- 1) The Department will conduct an annual review for certification of transplant centers. A certified center must submit documentation established under subsections (c), (d), (f) and (h) of this Section for review by the Department's State Medical Advisory Committee for recertification as a transplant center.
  - 2) Survival rates of previous transplant patients must be documented prior to certification. The center must maintain patient volume in the year of certification based on previous transplant statistics.
  - 3) The Department shall notify the hospital of approval or denial of the recertification of the hospital as a transplant center.
- f) Notification of Transplant
- 1) The hospital must notify the Department prior to performance of the transplant procedure. The notification letter must be from a physician on the transplant team.
  - 2) The notification must include the admission diagnosis, pre-transplant diagnosis and the initial work-up summary of medical findings.
  - 3) The Department shall notify the hospital regarding receipt of the notification and provide the appropriate "patient tracking" forms to the hospital.



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## Section 148.82 (continued)

## g) Reimbursement

1) Hospital services rendered for transplant procedures under this Section are exempt from the provisions of Sections 148.250 through 148.330 and the 89 Ill. Adm. Code 149 of the Department's administrative rules governing hospital reimbursement. Hospital reimbursement for transplants covered within this Section is an all-inclusive rate for the admission, regardless of the number of days of care associated with that admission, which is limited to a maximum of 60 percent of the hospital's usual and customary charges to the general public for the same procedure for the number of days listed below for specific types of transplants:

- A) Three days of pre-operative inpatient work-up; and
- B) A maximum 30 consecutive days of post-operative inpatient care for heart, pancreas, or kidney/pancreas transplant; or
- C) 40 consecutive days of inpatient care for liver transplant; or
- D) 50 consecutive days of inpatient care for bone marrow transplant; or

E) For those transplants covered under subsection (b)(2), the number of consecutive days of inpatient care specified within the transplant certification process.

2) Reimbursement will be approved only when the Department's letter acknowledging the notification of the transplant procedure is attached to the hospital's claim.

3) Applicable disproportionate share payment adjustments shall be made in accordance with Section 148.120(g). Applicable outlier adjustments shall be made in accordance with Section 148.130. Applicable inpatient payment adjustments shall be made in accordance with Section 148.290.

4) The rate will not include transportation and physician fees when reimbursed pursuant to 89 Ill. Adm. Code 140.410 through 140.414 and 89 Ill. Adm. Code 140.490 through 140.492, respectively.

h) Reporting Requirements of Certified Transplant Center

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## Section 148.82(h) (continued)

The following documentation must be submitted within the time limits set forth in this subsection.

## 1) Patient Tracking

A) The center must submit annually a statistical summary including information for all patients having received transplants at the transplant center. Patients not covered by Medicaid may be identified numerically or by other means identified by the hospital, to protect patient confidentiality. The summary must include, but is not limited to, short and long term outcome on all patients.

B) The discharge summary for each Medicaid patient must be received by the Department within ~~thirty~~ 30 days of the patient's discharge.

C) The annual outcome summaries for each Medicaid patient must be received by the Department within ~~thirty~~ 30 days of the annual patient post-transplant evaluation.

D) For those Medicaid patients who expire, a summary must be received by the Department within ~~thirty~~ 30 days of the patient's death.

## 2) Notification of Changes

The center must notify the Department within ~~thirty~~ 30 days of any changes in its program including, but not limited to, certification criteria, patient selection criteria, members of the transplant team and the coordinator.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.120 Disproportionate Share Hospital (DSH) Adjustments  
EMERGENCY

Disproportionate Share (DSH) adjustments for inpatient services provided prior to October 1, 1993, shall be determined and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered. The Department shall make an annual determination of those hospitals qualified for adjustments under this Section effective October 1, 1993, and each October 1, thereafter.

## Section 148.120 (continued)

- a) Qualified Disproportionate Share Hospitals (DSH). DSH-adjustments for inpatient services provided prior to October 1, 1992, shall be determined and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered, except as specifically indicated otherwise in this Part and with the following exception: beginning with State Fiscal Year 1993, the annual determination of those hospitals qualifying for adjustments under this Section shall be made effective on October 1, 1992, and each October 1 thereafter. Hospitals qualified for DSH adjustments on June 30, 1992, shall continue to be eligible for such adjustments for inpatient services provided July 1, 1992, through September 30, 1992, in accordance with 89 Ill. Adm. Code 148.20(b). Hospitals located in a federally designated Health-Manpower Shortage Area (42 CFR 51.199) on June 30, 1992, that would have met the criteria described in (a)(3) if such designation had been effective on July 1, 1991, shall be eligible for DSH adjustments for inpatient services provided July 1, 1992, through September 30, 1992, utilizing the payment adjustment methodologies defined in the statutes and administrative rules which were in effect on June 30, 1992. For inpatient services provided on or after October 1, 1993, October 1, 1992, the Department shall make adjustment payments to hospitals which are deemed as disproportionate share by the Department. A hospital may qualify for a DSH adjustment in one of the following ways:

- 1) The hospital's Medicaid inpatient utilization rate, as defined in subsection (1)(5) of this Section, in terms of inpatient days of care provided to Title XIX recipients compared to total inpatient days of care provided, is at least one half standard deviation above the mean Medicaid utilization rate, as defined in subsection (1)(3) of this Section. Title XIX specifically excludes days of care provided to Family and Children Assistance (formerly known as General Assistance) and Aid to the Medically Indigent (AMI) days but does include the types of days described in subsection (a)(3) below. In this paragraph, the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for a full 24-hour placement elsewhere.
- 2) The hospital's low income utilization rate exceeds 25 per centum 25%. For this alternative, payments for all patient services (not just inpatient) for Medicaid, Family and Children Assistance (formerly known as General Assistance), Aid to the Medically Indigent (AMI) and/or any local or state

## Section 148.120(a)(2) (continued)

government-funded care, must be counted as a percentage of all net patient service revenue. To this percentage, the percentage of total inpatient charges attributable to inpatient charges for charity care (less payments for GA and AMI inpatient hospital services, and/or any local or state government-funded care) must be added.

- 3) Illinois hospitals that, on July 1, 1991, were located in a federally designated Health-Manpower Shortage Area (42 CFR 51.199) and that had a Medicaid inpatient utilization rate, as defined in subsection (1)(5) of this Section (a)(4) above, that was at least the mean Medicaid inpatient utilization rate, as defined in subsection (1)(3) of this Section, for all hospitals in Illinois receiving Medicaid payments from the Department and which were located in a planning area with one-third or fewer excess beds as determined by the Illinois Health Facilities Planning Board (77 Ill. Adm. Code 1100), and that, as of June 30, 1992, were located in a federally designated Health-Manpower Shortage Area (42 CFR 51.1992). The provisions of this subsection shall no longer apply effective on or after October 1, 1993.
- 4) Illinois hospitals that:
  - A) Have a Medicaid inpatient utilization rate, as defined in subsection (1)(5) of this Section (a)(4) above, which is at least the mean Medicaid inpatient utilization rate, as defined in subsection (1)(3) of this Section, for all hospitals in Illinois receiving Medicaid payments from the Department, and
  - B) also have a Medicaid obstetrical inpatient utilization rate, as defined in subsection (1)(6) of this Section, that is at least one standard deviation above the mean Medicaid obstetrical inpatient utilization rate, as defined in subsection (1)(4) of this Section for all hospitals in Illinois receiving Medicaid payments from the Department for obstetrical services.
- 5) Any children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children.



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## Section 148.120(a) (continued)

- 6) ~~Critical Care Access (66A) Hospitals,--66A Hospitals are hospitals reimbursed under Sections 148.250 through 148.300 of 89-III, Adm. Code 149 that meet at least one of the following criteria:~~
- A) ~~The hospital is designated, as of the first day of July preceding the DSH determination year, as a level II perinatal center by the Illinois Department of Public Health, is located in a rural area, and provides a disproportionate share of perinatal services.~~
- i) ~~For hospitals meeting the criteria in subsection (a)(6)(A) above, a disproportionate share of perinatal services shall be calculated by dividing each such hospital's Medicaid perinatal admissions by its total Medicaid admissions to arrive at the perinatal percentage.~~
- ii) ~~For hospitals meeting the criteria in subsection (a)(6)(A) above, these hospitals with a perinatal percentage of 20 percent or above shall be deemed to provide a disproportionate share of perinatal services.~~
- B) ~~The hospital is located in a rural area, as of the first day of July preceding the DSH determination year, and provides a disproportionate share of obstetrical services.~~
- i) ~~For hospitals meeting the criteria in subsection (a)(6)(B) above, a disproportionate share of obstetrical services shall be calculated by dividing each such hospital's Medicaid obstetrical admissions by its total Medicaid admissions to arrive at the obstetrical percentage.~~
- ii) ~~For hospitals meeting the criteria in subsection (a)(6)(B) above, these hospitals with an obstetrical percentage of 20 percent or above shall be deemed to provide a disproportionate share of obstetrical services.~~
- b) In addition, to be deemed a DSH hospital, a hospital must provide the Department, in writing, with the names of at least two obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals entitled to such services under a State Medicaid plan. In the case of a hospital located in a rural area (that is, an area outside of a Metropolitan

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## Section 148.120(b) (continued)

- Statistical Area, as defined by the Executive Office of Management and Budget), the term "obstetrician" includes any physician with staff privileges at the hospital to perform nonemergency obstetric procedures. This requirement does not apply to a hospital in which the inpatients are predominantly individuals under 18 years of age; or does not offer nonemergency obstetric services as of December 22, 1987. Hospitals that do not offer nonemergency obstetrics to the general public, with the exception of those hospitals described in 89 Ill. Adm. Code 149.50(c)(1) through (c)(4), must submit a statement to that effect.
- c) In making the determination described in subsections (a)(1) and (a)(4)(A) above, the Department shall utilize:
- 1) The hospital's final audited cost report for the hospital's base fiscal year. Medicaid inpatient utilization rates, as defined in subsection (1)(5) of this Section ~~subsections (a)(1) and (a)(4)(A) above~~, which have been derived from final audited cost reports, are not subject to the Review Procedure described in Section 148.310, with the exception of errors in calculation.
- 2) In the absence of a final audited cost report for the hospital's base fiscal year, the Department shall utilize the hospital's unaudited cost report for the hospital's base fiscal year. Due to the unaudited nature of this information, hospitals shall have the opportunity to submit a corrected cost report for the determination described in subsections (a)(1) and (a)(4)(A) above. Submittal of a corrected cost report in support of subsections (a)(1) and (a)(4)(A) above must be received no later than the first day of July preceding the DSH determination year for which the hospital is requesting consideration of such corrected cost report for the determination of DSH qualification. Corrected cost reports which are not received in compliance with these time limitations will not be considered for the determination of the hospital's Medicaid inpatient utilization rate as described in subsection (1)(5) of this Section ~~subsections (a)(1) and (a)(4)(A) above~~.
- A) Hospitals' Medicaid inpatient utilization rates, as defined in subsection (1)(5) of this Section ~~subsections (a)(1) and (a)(4)(A) above~~, which have been derived from unaudited cost reports, are not subject to the Review Procedure described in Section 148.310, with the exception of errors in calculation. Pursuant to subsection (c)(2) above, hospitals shall have the opportunity to submit corrected



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## Section 148.120(c)(2)(A) (continued)

cost report information prior to the Department's final DSH determination.

- B) In the event a subsequent final audited cost report reflects a Medicaid inpatient utilization rate, as described in subsection (1)(5) of this Section ~~subsections (a)(1) and (a)(4)(A) above~~, which is lower than the Medicaid inpatient utilization rate derived from the unaudited cost report utilized for the DSH determination, the Department shall recalculate the Medicaid inpatient utilization rate based upon the final audited cost report, and recoup any overpayments made.

- 3) Certain types of inpatient days of care provided to Title XIX recipients are not available from the cost report, i.e., Medicare/Medicaid crossover claims, out-of-state Title XIX Medicaid utilization levels, HMO days and inappropriate level of care days. To obtain Medicaid utilization levels in these instances, the Department shall utilize:

- A) Medicare/Medicaid Crossover Claims. The Department will utilize the Department's paid claims data adjudicated through the last day of June preceding the DSH determination year for each hospital's base fiscal year. ~~Effective with DSH determinations on and after October 1, 1993, hospitals may submit additional information to document Medicare/Medicaid crossover days which were not billed to the Department due to a determination that the Department had no liability for deductible and/or coinsurance amounts. This information must be submitted in log form. The log must include a patient account number or medical record number, patient name, Medicaid recipient identification number, Medicare identification number, date of admission, date of discharge, the number of covered days, and the total number of Medicare/Medicaid crossover days. This log must include all Medicare/Medicaid crossover days billed to the Department and all Medicare/Medicaid crossover days which were not billed to the Department for services provided during the hospital's base fiscal year. If a hospital does not submit a log of Medicare/Medicaid crossover days that meets the above requirements, the Department will utilize the Department's paid claims data adjudicated through the last day of June preceding the DSH determination year for the hospital's applicable base fiscal year.~~

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## Section 148.120(c)(3) (continued)

- B) Out-of-state Title XIX Utilization Levels. Hospital statements and verification reports from other states will be required to verify out-of-state Medicaid recipient utilization levels. The information submitted must include only those days of care provided to out-of-state Medicaid recipients during the hospital's base fiscal year.
- C) HMO days. The Department will ~~shall~~ utilize the Department's HMO claims data available to the Department as of the last day of June preceding the DSH determination year for each hospital's base fiscal year to determine the number of inpatient days provided to recipients enrolled in an HMO.
- D) Inappropriate Level of Care Days. The Department will utilize the Department's paid claims data adjudicated through the last day of June preceding the DSH determination year for each hospital's base fiscal year to determine the number of inappropriate level of care days provided to recipients.
- d) Hospitals may apply for DSH status under subsection (a)(2) by submitting an audited certified financial statement for the hospital's base fiscal year. The audited certified financial statement must contain the following breakdown of information prior to submittal to the Department for consideration:
- 1) Total hospital net revenue for all patient services, both inpatient and outpatient, for the hospital's base fiscal year.
  - 2) Total payments received directly from State and local governments for all patient services, both inpatient and outpatient, for the hospital's base fiscal year.
  - 3) Total gross inpatient hospital charges for charity care (this must not include contractual allowances, bad debt or discounts, except contractual allowances and discounts for Family and Children Assistance, formerly known as General Assistance, GA and AMI patients), for the hospital's base fiscal year.
  - 4) Total amount of the hospital's gross charges for inpatient hospital services for the hospital's base fiscal year.
  - e) With the exception of cost-reporting children's hospitals in contiguous states that provide 100 or more inpatient days of care to Illinois program participants, only those cost-reporting hospitals

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## Section 148.120(e) (continued)

that qualify for DSH in the state in which they are located based upon the Federal definition of a DSH hospital, as defined in Section 1923(b)(1) of the Social Security Act, may qualify for DSH hospital adjustments under ~~subsection (g) and (h) of this Section~~. For purposes of determining the Medicaid inpatient utilization rate, as described in subsection (1)(5) of this Section and as required in Section 1923(b)(1) of the Social Security Act, out-of-state hospitals will be measured in relationship to one standard deviation above the mean Medicaid inpatient utilization rate in their state. Out-of-state hospitals that do not qualify by the Medicaid inpatient utilization rate from their state may submit an audited certified financial statement as described in subsection (d) above. Payments to out-of-state hospitals will be allocated using the same methods as described in subsections (g) ~~through (m)~~.

## f) Time Limitation Requirements for Additional Information.

- 1) ~~Beginning with the October 1, 1992, DSH determination year, the~~ The information required in subsections (a)(2), (c), (d) and (e) must be received no later than the first day of July preceding the DSH determination year for which the hospital is requesting consideration of such information for the determination of DSH qualification. Information required in this section which is not received in compliance with these limitations will not be considered for the determination of those hospitals qualified for DSH adjustments.

- 2) ~~Beginning with the October 1, 1992, DSH determination year, the~~ The information required in subsections (b) ~~and (f)(5)(A)~~ must be received within 30 calendar days after receipt of notification from the Department that the information must be submitted. Information required in this Section which is not received in compliance with these limitations will not be considered for the determination of those hospitals qualified for DSH adjustments.

## g) Inpatient Payment Adjustments to DSH Hospitals. The adjustment payments required by subsection (a) above shall be calculated annually as follows:

- 1) Five Million Dollar Fund Adjustment
  - A) Hospitals qualifying as DSH hospitals under subsection (a)(1) that have a Medicaid inpatient utilization rate, as described in subsection (1)(5) of this Section, which is at least one standard deviation above the mean Medicaid

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## Section 148.120(g)(1)(A) (continued)

inpatient utilization rate, as described in subsection (1)(3) of this Section, and hospitals qualifying as DSH hospitals under subsection (a)(2) of this Section will receive an add-on payment to their inpatient rate.

- B) The distribution method for the add-on payment described in subsection (g)(1)(A) above is based upon a fund of \$5 million \$5M. All hospitals qualifying under subsection (g)(1)(A) above ~~(e)(1) that have a Medicaid inpatient utilization rate which is at least one standard deviation above the mean Medicaid inpatient utilization rate, and all hospitals qualifying as DSH hospitals under subsection (a)(2) will receive a five dollar (\$5) per day add-on to~~ their current rate. The total cost of this adjustment is calculated by multiplying each hospital's most recent completed fiscal year Medicaid inpatient utilization data (adjusted based upon historical utilization and projected increases in utilization) by ~~five dollars (\$5)~~. The total dollar amount of this calculation is then subtracted from the \$5 million \$5M fund.

- C) The remaining fund balance is then distributed to the hospitals that qualify under subsection (a)(1) above that have a Medicaid inpatient utilization rate, as described in subsection (1)(5) of this Section, which is at least one standard deviation above the mean Medicaid inpatient utilization rate, in proportion to the percentage by which the hospital's Medicaid inpatient utilization rate exceeds one standard deviation above the State's mean Medicaid inpatient utilization rate, as described in subsection (1)(3) of this Section. This is done by finding the ratio of each hospital's percent Medicaid utilization to the State's mean plus one standard deviation percent Medicaid value. These ratios are then summed and each hospital's proportion of the total is calculated. These proportional values are then multiplied by each hospital's most recent completed fiscal year Medicaid inpatient utilization data ~~paid inpatient day values~~ (adjusted based upon historical utilization and projected increases in utilization). These weighted values are summed and each hospital's proportion of the summed weighted value is calculated. Each individual hospital's proportional value is then multiplied against the \$5 million \$5M pool of money available after the ~~five dollars (\$5) per day base add-on has been subtracted~~.

- D) The total dollar amount calculated for each qualifying



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## Section 148.120(g)(1)(D) (continued)

hospital under subsection (g)(1)(C) above, plus the initial ~~five dollars (\$5)~~ per day add-on amount calculated for each qualifying hospital under subsection (g)(1)(B) above, is then divided by the Medicaid inpatient utilization data (adjusted based upon historical utilization and projected increases in utilization) ~~inpatient-day projections~~ to arrive at a per day add-on value. Hospitals qualifying under subsection (a)(2), will receive the minimum adjustment of ~~five dollars (\$5)~~ per inpatient day. The adjustments calculated under this subsection are subject to the ~~adjustments described in subsections (h) and (i) and the limitations described in subsection (k) of this Section (m).~~

2) **Medicaid Percentage Adjustment.** In addition to the adjustment methodology described in subsection (g)(1) above, all DSH hospitals described in subsections (a)(1), (2), (3), (4), and (5) shall receive a payment adjustment which ~~shall~~ will be calculated annually as follows:

- A) The payment adjustment shall be calculated based upon the hospital's Medicaid inpatient utilization rate, as defined in subsection (j)(5) of this Section, ~~(e)(4)~~ and subject to subsections (h), ~~and (i), and (j) below, as follows:~~
- i) Hospitals with a Medicaid inpatient utilization rate below the mean Medicaid inpatient utilization rate of 75 percent ~~or above~~ shall receive a payment adjustment of \$25 ~~\$275;~~
- ii) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than the mean Medicaid inpatient utilization rate but less than one standard deviation above the mean Medicaid inpatient utilization rate ~~of at least 50 percent, but less than 75 percent,~~ shall receive a payment adjustment of \$25 plus \$1 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds the mean Medicaid inpatient utilization rate ~~\$175;~~
- iii) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than one standard deviation above the mean Medicaid inpatient utilization rate but less than 1.5 standard deviations above the mean Medicaid inpatient utilization rate ~~of at least 40 percent, but less than 50 percent,~~ shall

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## Section 148.120(g)(2)(A)(iii) (continued)

receive a payment adjustment of \$40 plus \$7 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds one standard deviation above the mean Medicaid inpatient utilization rate ~~\$150;~~ and

- iv) Hospitals with a Medicaid inpatient utilization rate that is equal to or greater than 1.5 standard deviations above the mean Medicaid inpatient utilization rate ~~of at least 30 percent, but less than 40 percent,~~ shall receive a payment adjustment of \$90 plus \$2 for each one percent that the hospital's Medicaid inpatient utilization rate exceeds 1.5 standard deviations above the mean Medicaid inpatient utilization rate. ~~\$100, and~~
- v) ~~Hospitals with a Medicaid inpatient utilization rate less than 30 percent shall receive a payment adjustment of \$85.~~
- B) For county-owned hospitals, hospitals as described in Section 148.25(b)(1)(A) ~~subsection (i), or a state-owned hospital, as described in Section 148.25(b)(1)(B), the amount calculated pursuant to subsection (g)(2)(A) above shall be increased by \$60 per day \$25.~~
- G) ~~For hospitals described in subsection (i) that are designated as a level III perinatal center by the Illinois Department of Public Health, the amount calculated pursuant to subsection (g)(2)(B) above shall be increased by \$150.~~
- B) ~~The amount calculated pursuant to subsection (g)(2)(G) above for a hospital described in subsection (i) shall be adjusted on October 1, 1992, and on the first day of July of each year thereafter, by the annual percentage change in the per diem cost of inpatient hospital services as reported in the most recent annual Medicaid cost report.~~
- C) The Medicaid percentage adjustment payment, calculated in accordance with this subsection (g)(2), to a hospital, other than county-owned hospitals, as described in Section 148.25(b)(1)(A), or a state-owned hospital, as described in Section 148.25(b)(1)(B), shall not exceed \$155 per day for a children's hospital, as described in subsection (a)(5) of this Section, and shall not exceed \$215 per day for all other hospitals.



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D)E) The amount calculated pursuant to subsections (g)(2)(A) through (g)(2)(C) above for a hospital net described in subsection (i) shall be adjusted on October 1, 1993, and annually thereafter, by a percentage equal to the lesser of:

- i) The increase in the national hospital market basket price proxies (DRI) hospital cost index for the most recent 12 month period for which data are available; or
- ii) The percentage increase in the statewide average hospital payment rate, as described in subsection (1)(8) of this Section, over the previous year's statewide average hospital payment rate.

E) The amount calculated pursuant to subsections (g)(1) and (g)(2)(A) through (g)(2)(D) above for hospitals described in Section 148.25(b)(1)(A) shall be no less than the DSH rates in effect on June 1, 1992, except that this minimum shall be adjusted on the first day of July of each year by the annual percentage change in the per diem cost of inpatient hospital services as reported on the two most recent annual Medicaid cost reports. The per diem cost of inpatient hospital services is calculated by dividing the total allowable Medicaid costs by the total allowable Medicaid days.

F) For hospitals paid on a per diem basis and those reimbursed under 89 Ill. Adm. Code 148.80(g), the amount calculated pursuant to subsections (g)(1) and (g)(2)(A) through (g)(2)(D) above, as adjusted pursuant to subsections (h), (i), and (j) below, plus any applicable amount calculated under subsections (j) and (k) of this Section shall be the inpatient payment adjustment in dollars for the applicable DSH determination year, subject to the limitations described in subsections (g)(2)(C) and (k) of this Section, and the adjustment described in subsection (g)(2)(E) above. The adjustments calculated under subsections (g)(1) and (g)(2)(A) through (g)(2)(E) of this Section shall be paid on a per diem basis and shall be applied to each covered day of care provided.

G) For hospitals paid on a per discharge basis, the amount calculated pursuant to subsections (g)(1) and (g)(2) above, as adjusted pursuant to subsections (h) and (i) below,

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shall be multiplied by the hospital's average length of stay, and this sum plus any applicable amount calculated under subsections (j) and (k) of this Section shall be the inpatient payment adjustment in dollars for the applicable DSH determination year, subject to the limitations described in subsection (m) of this Section. The adjustments calculated under subsections (g)(1) and (g)(2) of this Section shall be applied to each covered discharge of this Section.

h) Children's Hospital Inpatient Adjustor Payment Adjustment. For a children's hospital, as defined in subsection (a)(5), the payment adjustment calculated under subsection (g)(2) above Medicaid inpatient utilization rate as defined in subsection (e)(1) shall be multiplied by 2.0.

i) County Hospital Inpatient Adjustor Payment Adjustment. For county hospitals, defined in Section 148.25(b)(1)(A), as an Illinois county hospital in a county of over 3 million in population, the payment adjustment calculated under subsection (g)(2) above Medicaid inpatient utilization rate as defined in subsection (e)(1) above shall be multiplied by 3.75.

j) State-Owned Hospital Inpatient Adjustor. For a state-owned hospital, as defined in Section 148.25(b)(1)(B), the payment adjustment calculated under subsection (g)(2) above shall be multiplied by 3.75.

k) Targeted Access Payment (TAP) Adjustment.

1) For the period July 1, 1992, through September 30, 1992, these hospitals qualified for TAP Adjustments on June 30, 1992, shall continue to be eligible for such adjustments. The payment adjustment for the period July 1, 1992, through September 30, 1992, shall be calculated in accordance with Section 148.20(b)(2). Effective on or after October 1, 1992, TAP adjustments shall be determined in accordance with subsections (j)(2) through (j)(7) below.

2) Medicaid Percentage Adjustment.

A) Hospitals qualifying for DSH adjustments under subsections (e)(1) through (e)(5) that are reimbursed under Sections 148.250 through 148.300 of 89 Ill. Adm. Code 149, shall qualify for the TAP Medicaid percentage adjustment if they meet at least one of the following criteria:

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## Section 148.120(j)(2)(A) (continued)

- ii) The hospital is located in an urban area and has 500 or fewer licensed beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year or
- iii) The hospital is located in a rural area and has 300 or fewer licensed beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year or
- iii) The hospital is a children's hospital as defined in subsection (a)(5) above

B) The IAP Medicaid percentage adjustment for eligible hospitals as defined in subsection (j)(2)(A) above, shall be calculated based upon the eligible hospital's Medicaid inpatient utilization rate as defined in subsection (a)(1) above

C) Eligible hospitals with a Medicaid inpatient utilization rate of 3% or above shall receive an adjustment of \$70.00 per Medicaid admission in the IAP base year and all other eligible hospitals shall receive an adjustment per Medicaid admission in the IAP base year which is calculated by dividing the individual hospital's Medicaid inpatient utilization rate by 3% and multiplying the result by \$70.00

## 3) Obstetrical Case Adjustment

A) Hospitals that qualify for DSH adjustments under subsections (a)(1), (2), (3) or (4) are reimbursed under Sections 148.250 through 148.300 or 89 Ill. Adm. Code 149, provide nonemergency obstetrical services and that have complied with the requirements of subsection (b) above

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## Section 148.120(j)(3)(A) (continued)

- shall receive a IAP obstetrical care adjustment if they meet at least one of the following criteria:
- ii) The hospital is located in an urban area and has 500 or fewer licensed beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year or
- iii) The hospital is located in a rural area and has 300 or fewer licensed beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year
- B) The IAP obstetrical care adjustment for eligible hospitals as defined in subsection (j)(3)(A) above, shall include:
- i) an adjustment of \$680.00 per Medicaid obstetrical admission in the IAP base year and
- ii) an additional adjustment, up to \$340.00 per Medicaid obstetrical admission in the IAP base year, based upon the hospital's obstetrical admission percentage. The obstetrical admission percentage is the ratio of the hospital's obstetrical admissions to the obstetrical admissions provided by all hospitals qualified for the IAP obstetrical care adjustment. The adjustment shall be calculated by giving the hospital providing the most obstetrical admissions a \$340.00 adjustment per Medicaid obstetrical admission in the IAP base year and all other qualifying hospitals an adjustment equal to the individual hospital's Medicaid obstetrical percentage divided by the obstetrical percentage of the hospital with the highest obstetrical percentage, the result of which shall then be multiplied by \$340.00.



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## Section 148.120(j) (continued)

## 4) Children's Care Adjustment

- A) Hospitals shall receive a TAP children's care adjustment if they meet the following criteria:
- i) The hospital qualifies for DCH adjustments under subsections (a)(1)-(2), (3), (4), or (5);
  - ii) The hospital is reimbursed under 89 Ill. Adm. Code 148.250 through 148.300 or Part 149; and
  - iii) The hospital provides services to children (defined as under the age of 18 and which excludes obstetrical services).

- B) The TAP children's care adjustment for eligible hospitals as defined in subsection (j)(4)(A) above shall be based upon the eligible hospital's children's admission percentage in accordance with subsection (j)(4)(c) below:
- C) Eligible hospitals shall receive a TAP children's care adjustment of up to \$600.00 per Medicaid children's admission in the TAP base year. The adjustment shall be calculated by dividing each eligible hospital's Medicaid children's admissions in the TAP base year by each eligible hospital's total Medicaid admissions in the TAP base year to arrive at the children's admission percentage.

- D) The hospital with the highest percentage of Medicaid children's admissions shall receive an adjustment of \$600.00 for each Medicaid children's admission in the TAP base year and all other qualifying hospitals shall receive an adjustment equal to \$600.00 multiplied by the individual hospital's children's admission percentage divided by the children's admission percentage of the hospital with the highest children's admission percentage.

## 5) Ambulatory Care Network Adjustment

- A) Hospitals qualifying for DCH adjustments under subsections (a)(1)-(2), (3) or (4) that are reimbursed under Sections 148.250 through 148.300 or 89 Ill. Adm. Code Part 149 may qualify for the TAP ambulatory care network adjustment if

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## Section 148.120(j)(5)(A) (continued)

they meet at least one of the following criteria:

- i) The hospital is located in an urban area and has 500 or fewer licensed beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Red County Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year; or
- ii) The hospital is located in a rural area and has 300 or fewer beds as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Red County Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the DSH determination year.

## B)

- Hospitals meeting the criteria described in subsection (j)(5)(A) above shall complete and submit the Ambulatory Care Network Questionnaire in order to be considered for the TAP ambulatory care network adjustment. To receive the TAP ambulatory care network adjustment, eligible hospitals shall be required to enter into an agreement with the Department which describes in detail their involvement in ambulatory care, and includes commitments to maintain operations. Hospitals shall be required to notify the Department in advance of any action which would result in a reduction of 20 percent or more in the number of visits provided by hospital-operated primary care clinics or a reduction of 20 percent or more in the number of visits provided by primary care physicians. The TAP ambulatory care network adjustment shall consist of three (3) possible individual adjustments as follows:

- i) Hospitals reporting the following number of physician office visits on the Ambulatory Care Network-



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## Section 148.120(j)(5)(B)(i) (continued)

Questionnaire shall receive the following adjustments per total Medicaid admissions in the TAP base year:

Urban Threshold	Rural Threshold	Adjustment
-----0-----	-----0-----	\$-00.00
---0-----9,999	---0-----4,999	\$125.00
-10,000-----40,000	-5,000-----10,000	\$145.00
-40,001-----100,000	10,001-----50,000	\$165.00
-100,001 and over	50,001 and over	\$185.00

ii) Hospitals qualifying for an adjustment under subsection (j)(5)(B)(i) above shall receive an additional \$135.00 per total Medicaid admissions in the TAP base year if they have a formal linkage agreement with City of Chicago Partnerships in Health or Medicaid Partnership.

iii) Hospitals qualifying for an adjustment under

subsection (j)(5)(B)(i) above shall receive an additional \$135.00 per total Medicaid admissions in the TAP base year if they have a formal linkage agreement with a Federally Qualified Health Center, a County Health Clinic, or a Rural Health Clinic.

- 6) TAP Index Adjustment--With the exception of adjustments calculated in subsections (j)(2) through (j)(5) for children's hospitals as described in subsection (a)(5), the sum of the adjustments calculated in subsections (j)(2) through (j)(5) shall be multiplied by the following applicable percentage, which are based upon each hospital's Medicaid inpatient utilization rate as defined in subsection (a)(1):
- A) For those hospitals with a Medicaid inpatient utilization rate of 45 percent or above, the applicable percentage is 110 percent.
- B) For those hospitals with a Medicaid inpatient utilization rate of at least 25 percent, but less than 45 percent, the applicable percentage is 50 percent.
- C) For those hospitals with a Medicaid inpatient utilization rate of less than 25 percent, the applicable percentage is 25 percent.
- 7) Hospitals eligible for TAP adjustments shall receive the applicable payment adjustments described in subsection (j) of-

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## Section 148.120(j)(7) (continued)

this Section, in addition to any applicable adjustments described in subsections (g) and (h) of this Section, subject to the limitations described in subsection (m) of this Section. The TAP adjustments shall be paid to eligible hospitals on a quarterly basis.

k) Critical Care Access (OGA) Payment Adjustments--For the period July 1, 1992 through September 30, 1992, those hospitals qualified for OGA payment adjustments on June 30, 1992, shall continue to be eligible for such adjustments. The payment adjustment for the period July 1, 1992 through September 30, 1992, shall be calculated in accordance with Section 148.20(b)(2). Effective on or after October 1, 1992, OGA adjustments shall be determined in accordance with subsections (k)(1) through (k)(4) below.

1) OGA hospitals are those hospitals meeting one or more of the criteria described in subsection (a)(6) above.

2) OGA payment adjustments are determined as follows:

A) Level II Rural Perinatal Adjustment--Hospitals meeting the criteria defined in subsection (a)(6)(A) shall receive an adjustment of \$825.00 per Medicaid perinatal admission in the OGA base year.

B) Rural Obstetrical Adjustment--Hospitals meeting the criteria defined in subsection (a)(6)(B) shall receive an adjustment of \$675.00 per Medicaid obstetrical admission in the OGA base year.

3) Hospitals qualifying as DSH hospitals under subsections (a)(1), (2), (3), (4) or (5) of this Section that also qualify as OGA hospitals under subsection (a)(6) of this Section shall receive the applicable payment adjustments described in subsection (k) of this Section in addition to any applicable adjustments described in subsections (g) and (j) of this Section, subject to the limitations described in subsection (m) of this Section. The OGA payment adjustments shall be paid to eligible hospitals on a quarterly basis.

4) Hospitals that qualify as DSH hospitals solely under subsection (a)(6) above shall not be eligible for any adjustments described in subsections (g) through (j). The OGA payment adjustments shall be paid to eligible hospitals on a quarterly basis.

1) DSH Uncompensated Care Payment Adjustment

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Section 148.120(1) (continued)

- 1) The Department shall make disproportionate share uncompensated care payments to hospitals described in subsections (a)(1) through (a)(6) above that are reimbursed under Sections 148.170, 148.250 through 148.300 and 89.111, Adm. Code 149 in accordance with this subsection.
- 2) For the period August 1, 1991 through July 31, 1993, the hospital's uncompensated care payment shall be calculated and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered.
- 3) As a condition of eligibility for an uncompensated care payment adjustment during the August 1, 1991, uncompensated care rate year, each hospital shall submit on or before January 15, 1992, the following inpatient, outpatient and hospital-based clinic service information to the Department for the period August 1, 1990 through July 31, 1991:

- A) The dollar amount of uncompensated care charges rendered in the period described above.
- B) The dollar amount of charges rendered during this period reimbursed by the Department under General Assistance (Article VI of the Public Aid Code) or Aid to the Medically Indigent (Article VII of the Public Aid Code).
- C) The dollar amount of Medicaid charges rendered in the period described above.
- D) The dollar amount of total charges for care rendered in the period described above.
- 4) For the period August 1, 1992 through September 30, 1992, the hospital's uncompensated care payment shall be calculated in accordance with 89.111, Adm. Code 148.20(b). This payment is contingent upon the Department's receipt of the data described in subsection (1)(3) above in accordance with the time limitation described in subsection (1)(3) above.

k)m) DSH Adjustment Limitations.

- 1) Hospitals that qualify for DSH adjustments under subsections (g) through (k) of this Section shall not be eligible for the total DSH adjustment if, during the DSH determination year, the +

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Section 148.120(k)(1) (continued)

- A) The hospital discontinues the provision of non-emergency obstetrical care (the provisions of this subsection shall not apply to those hospitals described in 89 Ill. Adm. Code 149.50(c)(1) through (c)(4) or those hospitals that have not offered nonemergency obstetric services as of December 22, 1987). In this instance, the total DSH adjustments shall be reduced as follows:
- i) The adjustments calculated under subsections (g)(1) and (g)(2) shall cease effective on the date that the hospital discontinued the provision of such non-emergency obstetrical care.
- ii) The adjustments calculated under subsections (j) and (k) of this Section shall be pro-rated based upon the date that the hospital discontinued the provision of non-emergency obstetrical care.
- B) The hospital does not honor its commitment to maintain operations as required in subsection (j)(5)(B) of this Section. In the event that there is a reduction of 20 percent or more in the number of visits provided by hospital-operated primary care clinics or a reduction of 20 percent or more in the number of visits provided by primary care physicians, the Department may, subject to approval by the Director, deem the hospital ineligible for the adjustments described in subsection (j)(5)(B) of this Section, either in total or in part.
- C) The hospital discontinues its formal linkage agreements required in subsections (j)(5)(B)(ii) and (j)(5)(B)(iii), in this instance, the annual adjustment described in subsection (j)(5)(B) shall be pro-rated based upon the date that the formal linkage agreement(s) was discontinued.
- D) The hospital is no longer redesignated or designated by the Illinois Department of Public Health as a level-II perinatal center as required by subsection (a)(6)(A), in this instance, the annual adjustment described in subsection (k)(2)(A) shall be pro-rated as applicable based upon the date that the designation ceased.

- 2) Inpatient Payment Adjustments based upon DSH Determination Reviews. Appeals based upon a hospital's ineligibility for DSH payment adjustments, or their payment adjustment amounts, in



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## Section 148.120(1)(2) (continued)

accordance with Section 148.310(b) 148.310, which result in a change in a hospital's eligibility for DSH payment adjustments or a change in a hospital's payment adjustment amounts, shall not affect the DSH status of any other hospital or the payment adjustment amount of any other hospital that has received notification from the Department of their eligibility for DSH payment adjustments based upon the requirements of this Section.

- 3) DSH Payment Adjustment Cap. In accordance with Public Law 102-234, if the aggregate DSH payment adjustments calculated under this Section exceed the State's final DSH Allotment as determined by the Health Care Financing Administration (HCFA), DSH payment adjustments calculated under this Section shall be adjusted in proportion to the lesser State DSH Allotment.

1) Inpatient Payment Adjustment Definitions. The definitions of terms used with reference to calculation of the inpatient payment adjustments are as follows:

- 1) "Base fiscal year" means, for example, the hospital's fiscal year ending in 1991 for the October 1, 1993 1990 for the October 1, 1992 DSH determination year, the hospital's fiscal year ending in 1992 for the October 1, 1994 1991 for the October 1, 1993 DSH determination year, etc.
- 2) "GGA base year" means, State Fiscal Year 1991 for GGA payments calculated for the October 1, 1992 DSH determination year, State Fiscal Year 1992 for GGA payments calculated for the October 1, 1993 DSH determination year, etc.
- 3) "Children's admission" means a claim billed as an admission of an individual under the age of 18, which was subsequently paid by the Department and contained within the Department's paid claims data base, but excludes those claims billed as admissions with an ICD-9-CM principal diagnosis code within the range of 650 and 669 (indicating an obstetrical admission).
- 2) "DSH determination year" means, beginning October 1, 1992, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.
- 3) "Mean Medicaid inpatient utilization rate" means a fraction, the numerator of which is the total number of inpatient days provided in a given 12-month period by all Medicaid-participating Illinois hospitals to patients who, for such days, were eligible

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## Section 148.120(1)(3) (continued)

for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et seq.), and the denominator of which is divided by the total number of inpatient days provided by those same hospitals. Title XIX specifically excludes days of care provided to Family and Children Assistance (formerly known as General Assistance) and Aid to the Medically Indigent (AMI) days but does include the types of days described in subsection (c)(3) of this Section. In this paragraph, the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

- 6) "Medicaid charges" means hospital charges for inpatient, outpatient, and hospital-based clinic services provided to recipients of medical assistance under Title XIX of the Social Security Act.
- 7) "Medicaid days" means hospital days billed and reimbursed by the Department and contained within the Department's paid claims data base for recipients of medical assistance under Title XIX of the Social Security Act.
- 4) "Mean Medicaid obstetrical inpatient utilization rate" means a fraction, the numerator of which is the total Medicaid (Title XIX) obstetrical inpatient days, as defined in subsection (1)(7) below, provided by all Medicaid-participating Illinois hospitals providing obstetrical services to patients who, for such days, were eligible for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et seq.), and the denominator of which is the total Medicaid (Title XIX) inpatient days, as defined in subsection (1)(9) below, for all such hospitals. That information shall be derived from claims for applicable services provided in the Medicaid obstetrical inpatient utilization rate base year which were subsequently adjudicated by the Department through the last day of June preceding the DSH determination year and contained within the Department's paid claims data base.
- 5) "Mean Medicaid inpatient utilization rate" means a fraction, the numerator of which is the number of a hospital's inpatient days provided in a given 12-month period to patients who, for such days, were eligible for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et seq.) and



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## Section 148.120(1)(5) (continued)

the denominator of which is the total number of the hospital's inpatient days in that same period. Title XIX specifically excludes days of care provided to Family and Children Assistance (formerly known as General Assistance) and Aid to the Medically Indigent (AMI) days but does include the types of days described in subsection (c)(3) of this Section. In this paragraph, the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

6) "Medicaid obstetrical inpatient utilization rate" means a fraction, the numerator of which is the rate of Medicaid (Title XIX) obstetrical inpatient days, as defined in subsection (1)(7) below (4)(10), provided by a Medicaid-participating Illinois hospital providing obstetrical services to patients who, for such days, were eligible for Medicaid under Title XIX of the Federal Social Security Act (42 U.S.C. Sec. 1396a et. seq.), and the denominator of which is the total Medicaid (Title XIX) inpatient days, as defined in subsection (1)(9) below (4)(15) provided by such hospital. This information shall be derived from claims for applicable services provided in the Medicaid obstetrical inpatient utilization rate base year which were subsequently adjudicated by the Department through the last day of June preceding the DSH determination year and contained within the Department's paid claims data base for applicable services-billed-and-reimbursed-in-the-Medicaid-obstetrical inpatient-utilization-rate-base-year-(here, FY91-for-the-October-1, 1992-DSH-determination-year-FY92-for-the-October-1, 1993-DSH-determination-year, etc.).

7) "Medicaid (Title XIX) obstetrical inpatient days" means hospital inpatient days which were subsequently adjudicated by the Department through the last day of June preceding the DSH determination year billed-and-reimbursed-by-the-Department and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with an ICD-9-CM principal diagnosis code within the ranges of 650 and 669 which result in childbirth, and specifically excludes Medicare/Medicaid crossover claims.

11) "Obstetrical admission" means a claim-billed-as-an-admission which was subsequently paid-by-the-Department-and-contained within-the-Department's-paid-claims-data-base-with-an-ICD-9-CM-

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## Section 148.120(1)(7) (continued)

principal diagnosis code within the ranges of 650 and 669 which resulted in childbirth.

12) "Perinatal admission" means those claims-billed-as-admissions, which were subsequently paid-by-the-Department-and-contained within-the-Department's-paid-claims-data-base-for-infants-less than 29 days-of-age-at-the-time-of-the-admission-with-an-ICD-9-CM-diagnosis-code-within-the-ranges-of-760-through-770-and V30-through-V39, and those claims-billed-as-admissions, which were subsequently paid-by-the-Department-and-contained-within-the-Department's-paid-claims-data-base, related-to-pregnancy, childbirth-and-the-puerperium-with-an-ICD-9-CM-principal diagnosis code within the range of 630 through 676.

13) "TAP base year" means State Fiscal Year 1991 for TAP payments calculated for the October-1, 1992-DSH-determination-year; State Fiscal Year 1992 for TAP payments calculated for the October-1, 1993-DSH-determination-year, etc.

14) "Total charges" means the total amount of a hospital's charges for inpatient, outpatient, and hospital-based clinic services-it has provided.

8) "Statewide average hospital payment rate" means the hospital's alternative reimbursement rate, as defined in Section 148.270(a).

9) "Total Medicaid (Title XIX) inpatient days", as referred to in subsections (1)(4) and (1)(6) above (4)(9), means hospital inpatient days, excluding days for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the DSH determination year billed-and-reimbursed-by-the-Department, and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, and specifically excludes Medicare/Medicaid crossover claims.

10) "Medicaid obstetrical inpatient utilization rate base year" means, for example, state fiscal year 1992 for the October 1, 1993, DSH determination year; state fiscal year 1993 for the October 1, 1994, DSH determination year, etc.

16) "Total medical assistance admissions" means the total claims billed-as-admissions-which-were-subsequently-paid-by-the-Department-and-contained-within-the-Department's-paid-claims-data-base.

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## Section 148.120(1) (continued)

- 17) "Uncompensated care base fiscal year" means, for example, State Fiscal Year 1991, for the October 1, 1992, uncompensated care rate year, State Fiscal Year 1992, for the October 1, 1993, uncompensated care rate year, etc.
- 18) "Uncompensated care base year" means August 1 through July 31 of each year beginning with the initial August 1, 1990, through July 31, 1991, base year.

19) "Uncompensated care charges" for a hospital means:

- A) the hospital's charges for inpatient, outpatient, and hospital-based clinic services for which the hospital was not reimbursed by either the patient or a third party (including the Department);

B) less:

- i) the amount of the hospital's bad debt recoveries for inpatient, outpatient, and hospital-based clinic services; and

- ii) the hospital's charges attributable to inpatient, outpatient, and hospital-based clinic services that it provided without charge or at reduced charges under its obligation under the Federal Hill-Burton Act (42 U.S.G. 291 et seq.).

20) "Uncompensated care rate year" means October 1 through September 30 of each year beginning with the October 1, 1992, rate year.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

# Section 148.130 Outlier Adjustments for Exceptionally Costly Stays

## EMERGENCY

- a) Outlier Adjustments. Outlier adjustments are provided for exceptionally costly stays provided by hospitals or distinct part units reimbursed on a per diem basis or hospitals reimbursed in accordance with Section 148.82(g), 89 Ill. Adm. Code 148.80(g) prior to October 1, 1992, shall be determined and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered with the following exception: Beginning with State Fiscal Year 1993, the annual determination of these

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## Section 148.130(a) (continued)

hospitals qualifying for adjustments under subsection (b) below shall be made effective on October 1, 1992 and each October 1 thereafter. Hospitals qualified for outlier adjustments on June 30, 1993, shall continue to be eligible for such outlier adjustments for inpatient services provided July 1, 1992, through September 30, 1992, at the adjustment rate, and utilizing the adjustment criteria, in effect on June 30, 1992.

- b) The determination of those services qualified for an outlier adjustment shall be made as follows for services provided on and after October 1, 1992, and for each subsequent rate period, as defined in Section 148.25(g)(2)(B), for hospitals or distinct part units reimbursed on a per diem basis or hospitals reimbursed in accordance with Section 148.82(g), 89 Ill. Adm. Code 148.80(g):

- 1) The services must have been provided on or after October 1, 1992; and
- 2) The services must have been provided to:
  - A) Children who have not attained the age of six (6) years by hospitals defined by the Department as DSH hospitals under Section 148.120(a), 148.120(a)(1) through (a)(6); or
  - B) Infants who have not attained the age of one (1) year by hospitals that do not meet the definition of a DSH hospital under Section 148.120(a), 148.120(a)(1) through (a)(6).
- 3) Claims with total covered charges equal to or above the mean total covered charges plus one standard deviation shall be considered for outlier adjustments once the following calculations have been performed:
  - A) Total covered charges equal to or exceeding one standard deviation above the mean shall be multiplied by the hospital's cost to charge ratio.
  - B) The hospital's rate for services provided on the claim shall be multiplied by the number of covered days on the claim.
  - C) The product of subsection (B) above shall be subtracted from the product of (A) above.
  - D) The difference of subsection (C) above shall be multiplied



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Section 148.130(b)(3)(D) (continued)

by .25, the product of which shall be the outlier adjustment for the claim.

- E) Third party payments (credits) shall be applied to the final payment made on the claim.

- c) The determination of those services qualified for an outlier adjustment shall be made in accordance with 89 Ill. Adm. Code 149.105 for hospitals reimbursed on a per case basis.

- d) Definition of terms relating to outlier adjustments are as follows:

- 1) "Base fiscal year" means the hospital's fiscal year cost report most recently audited by the Department.
- 2) "Cost to Charge Ratio" means the hospital's Medicaid total allowable cost for all care divided by the Medicaid total covered charges for all care. The Cost to Charge Ratio is derived by utilizing cost report data from the hospital's base fiscal year.
- 3) "Mean total covered charges" means the mean total covered charges (as described in subsection (5) below), for services provided in the most recent state fiscal year for which complete information is available and previous rate period which have been adjudicated ~~paid~~ by the Department, as follows:
  - A) For hospitals that do not meet the definition of a DSH hospital under Section 148.120(a) ~~148.120(a)(1) through (a)(6)~~ in the DSH determination year, the mean total covered charges for all claims for inpatient services provided to individuals under the age of one year; and
  - B) For hospitals defined by the Department as DSH hospitals under Section 148.120(a) ~~148.120(a)(1) through (a)(6)~~ in the DSH determination year, the mean total covered charges for all claims for inpatient services provided to individuals under the age of six years.
- 4) "Rate for services provided" means the inpatient rate in effect for the type of services provided.
- 5) "Total covered charges" means the amount entered on the UB-82 or UB-92 Uniform Billing Form for revenue code 001 in column 53 (Total Charges) ~~minus the amount in column 54 (Non-Covered~~

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Section 148.130(d)(5) (continued)

~~Charges for revenue code 001.~~

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.140 Hospital Outpatient and ~~Hospital-Based~~ Clinic Services  
~~EMERGENCY~~

a) Fee-For-Service Reimbursement

- 1) Reimbursement for hospital outpatient and hospital-based clinic services shall be made on a fee for service basis, except for:
  - A) ~~Those these~~ services that meet the definition of the Hospital Ambulatory Care Program as described in subsection (b)(1) ~~(a)(3)~~ of this Section, and ~~except as described in subsection (b) for ESRDT services and subsection (c) for encounter rate hospitals~~ which shall be reimbursed in accordance with subsections (b)(4) and (b)(5) of this Section, and adjusted in accordance with subsection (d)(7)(B) of this Section;
  - B) ESRDT services, as described in subsection (c) of this Section, which shall be reimbursed in accordance with subsection (c) of this Section, and adjusted in accordance with subsection (d)(7)(B) of this Section;
  - C) Those services reimbursed on an encounter rate basis as described in subsection (d) of this Section; and
  - D) Those services provided by a Certified Pediatric Ambulatory Care Center (CPACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(D) and Section 148.25(b)(5)(D), which shall be reimbursed in accordance with 89 Ill. Adm. Code 140.464(b).
- 2) ~~Fee-for-service reimbursement~~ ~~Reimbursement~~ levels shall be at the lower of the hospital's usual and customary charge to the public or the Department's statewide maximum reimbursement screens. Hospitals will be required to bill the Department utilizing specific service codes. However, all specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to hospitals in the same manner as to non-hospital providers who bill fee for service.



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## Section 148.140(a) (continued)

- 3) With respect to those encounter rate hospitals described in Section 148.25(b)(2)(A) and (b)(2)(B), the reimbursement rate described in subsection (a)(2) above shall be adjusted in accordance with subsection (d)(7)(B) of this Section.
- 4) Healthy Moms/Healthy Kids rates, as described in 89 Ill. Adm. Code 140 Table M, shall be paid to Certified Hospital Ambulatory Primary Care Centers (CHAPCC), as described in 89 Ill. Adm. Code 140.461(f)(1)(A) and Section 148.25(b)(5)(A). Certified Hospital Organized Satellite Clinics (CHOSC), as described in 89 Ill. Adm. Code 140.461(f)(1)(B) and Section 148.25(b)(5)(B), and Certified Obstetrical Ambulatory Care Centers (COBACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(C), and Section 148.25(b)(5)(C). Healthy Moms/Healthy Kids rates shall also be paid to Certified Pediatric Ambulatory Care Centers (CPACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(D) and Section 148.25(b)(5)(D), that are provided to non-assigned Healthy Moms/Healthy Kids program clients, as described in 89 Ill. Adm. Code 140.464(b)(1).
- 5) Certified Pediatric Ambulatory Care Centers (CPACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(D) and Section 148.25(b)(5)(D), shall be reimbursed in accordance with 89 Ill. Adm. Code 140.464(b)(2) for assigned clients.

## b)2) Hospital Ambulatory Care Program

Effective April 1, 1986, the Department liberalized the list of allowable ambulatory procedures to add many surgical, diagnostic and highly technical treatment procedures that can be performed and reimbursed on an ambulatory basis. Reimbursement for the fee-codes established July 1, 1983, and implemented through March 31, 1986, for procedures performed in a hospital setting will be calculated and paid in accordance with the statutes and administrative rules governing the time period in question.

## 1) Hospital Ambulatory Care Groupings

Under the Hospital Ambulatory Care Program, a Hospital Ambulatory Care list was developed that defines those technical procedures that require the use of the hospital outpatient or hospital-based clinic setting, its technical staff and/or equipment. These procedures were separated into four separate groupings based upon the complexity and historical costs of the procedures. The four separate groupings are as follows:

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## Section 148.140(b)(1) (continued)

- A) Group I procedures are high level technology surgeries that consume many hospital resources and are costly to deliver.
- B) Group II procedures are certain nonsurgical, very high level technology services recognized and approved by the Department as safe outpatient procedures.
- C) Group III procedures are other surgical, specialized cardiac and diagnostic procedures.
- D) Group IV procedures are specialized treatment procedures, observation services, high risk, and emergency room services.
- 2) Hospital Ambulatory Care List Updating  
The Hospital Ambulatory Care list is updated periodically. As technology changes, so do the procedures that fall into the four categories. In addition, annual changes in the ICD-9-CM procedure codes and their meanings necessitate annual changes to the Hospital Ambulatory Care list.
- 3) Hospital Ambulatory Care Reimbursement Prior to October 1, 1993  
Reimbursement for Hospital Ambulatory Care procedures was initially developed in 1986. For each of the four (4) separate groupings identified in subsection (b)(1) above, a set rate maximum has been developed based upon the complexity of the procedures, historical costs, and teaching status of the hospital, the type of hospital, and the setting in which the procedure would most likely be performed (i.e., outpatient department, general clinic department, psychiatric clinic department, or rehabilitation clinic department). These set rate maximums have been periodically adjusted since 1986 based upon the above factors. Reimbursement for Hospital Ambulatory Care procedures performed prior to October 1, 1993, shall be reimbursed in accordance with the statutes and administrative rules governing the time period when the services were rendered.
- 4) Hospital Ambulatory Care Reimbursement Effective October 1, 1993  
Effective October 1, 1993, reimbursement for Hospital Ambulatory Care procedures shall be as follows:

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## Section 148.140(b) (continued)

- 3) ~~A Hospital-Ambulatory-Care-list-defines-these-technical procedures-that-require-the-use-of-the-hospital-outpatient-or clinic-setting, its-technical-staff-and/or-equipment. This-list is-updated-periodically. The-procedures-are-grouped-according to-type-and-complexity, each-with-a-separate-rate-structure-as follows:~~
- A) With respect to Group I procedures described in subsection (b)(1)(A) above, reimbursement shall be High-level technology-surgeries-are-reimbursed at the lesser of charges or the hospital's alternate reimbursement rate, as defined in Section 148.270(a), equivalent to the rate of a one-day inpatient stay.
- B) With respect to Group II procedures described in subsection (b)(1)(B) above, reimbursement shall be ~~Getain~~ ~~non-surgically, very-high-level-technology-services recognized-and-approved-by-the-Department-as-safe outpatient-procedures-are-reimbursed-in-a-category-separate from-other-specialized-cardiac-and-diagnostic-procedures and-are-reimbursed at the lesser of charges or one of two separate rate maximums depending upon whether the hospital is classified as:~~
- i) A ~~a-children's-hospital-as-defined-in-89-IIIr-Adm- Code-149-50(e)(3), or-a major teaching hospital, as defined in Section 148.25(d); or~~
- ii) ~~with-the-exception-of-a-children's-hospital-as defined-in-89-IIIr-Adm-Code-149-50(e)(3), a A hospital defined in Section 148.25(e) through (f).~~
- C) With respect to the Group III procedures described in subsection (b)(1)(C) above, reimbursement shall be ~~Other surgical-specialized-cardiac-and-diagnostic-procedures-will be-reimbursed at the lesser of charges or one of two separate rate maximums depending upon whether the hospital is classified as:~~
- i) A ~~a-children's-hospital-as-defined-in-89-IIIr-Adm- Code-149-50(e)(3), or-a major teaching hospital, as defined in Section 148.25(d); or~~
- ii) ~~with-the-exception-of-a-children's-hospital-as defined-in-89-IIIr-Adm-Code-149-50(e)(3), a A hospital defined in Section 148.25(e) through (f).~~

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## Section 148.140(b)(3) (continued)

- D) With respect to the Group IV procedures described in subsection (b)(1)(D) above, reimbursement shall be ~~Specialized-treatment-procedures-observation-services, high-risk, and-emergency-room-services-will-be-reimbursed at the lesser of charges or-a-set-rate-maximum or one of six two separate rate maximums depending upon whether the hospital is classified as:~~
- i) A ~~a-children's-hospital-as-defined-in-89-IIIr-Adm- Code-149-50(e)(3), or-a major teaching hospital, as defined in Section 148.25(d); or~~
- ii) ~~with-the-exception-of-a-children's-hospital-as defined-in-89-IIIr-Adm-Code-149-50(e)(3), a A hospital defined in Section 148.25(e) through (f); and~~
- iii) ~~Whether whether the service is provided in the outpatient, general clinic, psychiatric clinic, or rehabilitation clinic department.~~
- 5) Outpatient Indigent Volume Adjustment
- Effective with outpatient services provided on or after October 1, 1993, the Department shall make outpatient indigent volume adjustment payments to the amounts reimbursed under subsections (b)(4)(B) through (b)(4)(D) of this Section to a cost-reporting hospital, as described in Section 148.210(a), other than to those hospitals described in Sections 148.25(b)(2)(A), 148.25(b)(2)(B), 148.25(b)(2)(D), 148.25(b)(3), or 148.25(b)(5)(B), subject to the provisions of subsection (b)(5)(C) below. The outpatient indigent volume adjustment payments shall be in addition to the amounts reimbursed under subsections (b)(4)(B) through (b)(4)(D) above.
- A) Outpatient indigent volume adjustment payments shall be calculated by multiplying the payment to be made by the Department in accordance with subsections (b)(4)(B) through (b)(4)(D) above by the sum of the hospital's outpatient indigent volume factor and 1.00.
- B) A hospital's outpatient indigent volume factor shall be calculated annually as follows:
- i) The hospital's Medicaid inpatient utilization rate, as described in subsection (b)(5)(D)(ii) of this Section,



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## Section 148.140(b)(5)(B)(i) (continued)

shall be added to the hospital's uncompensated care utilization rate.

ii) The sum of the calculation described in subsection (b)(5)(B)(i) above shall be multiplied by 0.5.

C) In order to be eligible for outpatient indigent volume adjustment payments, a hospital must submit the data required under Section 148.150 in accordance with the requirements of Section 148.150.

D) Outpatient Indigent Volume Adjustment Definitions. The definitions of terms used with reference to calculation of the outpatient indigent volume adjustments are as follows:

i) "Base fiscal year" means, for example, the hospital's fiscal year ending in 1991 for the October 1, 1993, outpatient indigent volume determination year; the hospital's fiscal year ending in 1992 for the October 1, 1994, outpatient indigent volume determination year; etc.

ii) "Medicaid inpatient utilization rate" means the percent of Medicaid inpatient utilization as determined in accordance with Section 148.120.

iii) Uncompensated care base year" means, August 1 through July 31 of each year beginning with the initial August 1, 1990, through July 31, 1991, base year.

iv) "Uncompensated care utilization rate" means the percent of uncompensated care determined in accordance with Section 148.150 in the uncompensated care base year.

## 6) No Year-End Reconciliation

With the exception of the retrospective rate adjustment described in subsection (d)(7)(B) of this Section, no year-end reconciliation for outpatient and clinic services is made.

## 7) Rate Adjustments

With respect to those encounter rate hospitals described in Sections 148.25(b)(2)(A) and (b)(2)(B), the reimbursement rates

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## Section 148.140(b)(7) (continued)

described in subsection (b)(4) above shall be adjusted in accordance with subsection (d)(7)(B).

8) Services are available to all clients in geographic areas in which an encounter rate hospital or a county-operated outpatient facility is located. All specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to hospitals reimbursed under the Ambulatory Care Program in the same manner as to encounter rate hospitals and to non-hospital and hospital providers who bill and receive reimbursement on a fee-for-service basis.

4) A list of restricted inpatient procedures pursuant to Section 148.180(b) has been established and is updated periodically. These restricted inpatient procedures will only be reimbursed when performed outside the inpatient setting or when the hospital supplies justification for an inpatient admission that meets Departmental established criteria. These criteria include, but are not limited to:

A) Presence of medical conditions which make prolonged post-operative observations by a nurse or skilled medical personnel a necessity (e.g., heart disease, severe diabetes);

B) An unrelated procedure is being done simultaneously which itself requires surgical hospitalization;

C) The patient is unable to comprehend and/or follow the necessary instruction both prior to and following the procedure due to mental and/or physical impairment and this would result in inadequate treatment and place the patient at risk.

B) Emergency admission or recent onset of severe symptoms would prohibit safely performing the procedure on an outpatient basis (e.g., bleeding, severe pain, nausea, vomiting);

E) Admission occurs subsequent to the performance of the procedure on an outpatient basis due to conditions such as:

i) instability of vital signs



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## Section 148.140(b)(8)(E) (continued)

- iii) ~~respiratory distress greater than existed pre-operatively~~
- iii) ~~post-operative pain not relieved by oral medication~~
- iv) ~~uncontrolled bleeding~~
- v) ~~lack of state of consciousness appropriate to age and development~~
- vi) ~~presence of persistent nausea or vomiting~~
- vii) ~~inability to ambulate consistent with age, previous mobility status and/or procedure~~

c) Payment for outpatient end-stage renal disease treatment (ESRDT) services provided pursuant to Section 148.40(c) 148.40(a)(3) shall be made at the Department's payment rates, as follows:

- 1) For inpatient hospital services ~~services~~ provided pursuant to Section 148.40(c)(1) 148.40(a)(3)(A), the Department shall reimburse hospitals pursuant to Sections 148.240 through 148.300 and 89 Ill. Adm. Code 149.
- 2) For outpatient services or home dialysis treatments provided pursuant to Sections ~~Section~~ 148.40(c)(2) or 148.40(c)(3) 148.40(a)(3)(B) ~~or (6)~~, the Department will reimburse hospitals and clinics for ESRDT services at a rate which will reimburse the provider for the dialysis treatment and all related supplies and equipment, as defined in 42 CFR 405.231(o) (1984). This rate will be that rate established by Medicare pursuant to 42 CFR 405.439 and 405.441 (1989).
- 3) Payment for non-routine services. For services which are provided during outpatient or home dialysis treatment pursuant to Sections ~~Section~~ 148.40(c)(2) or 148.40(c)(3) 148.40(a)(3)(B) ~~or (6)~~ but are not defined as a routine service under 42 CFR 405.231(o) (1989), separate payment will be made to independent laboratories, pharmacies, and medical supply providers pursuant to 89 Ill. Adm. Code 140.430 through 140.434, 140.440 through 140.450, and 140.475 through 140.481, respectively.
- 4) Payment for physician services relating to ESRDT will be made separately to physicians, pursuant to 89 Ill. Adm. Code 140.400.
- d) Encounter Rate Hospitals

## Section 148.140(d) (continued)

1) Hospital Ambulatory Care Reimbursement

- A) For those encounter rate hospitals described in Sections 148.25(b)(2)(A) through (b)(2)(C), reimbursement for Hospital Ambulatory Care procedures, as described in subsection (b)(1) above, shall be in accordance with subsection (b)(4) above.
- B) For those encounter rate hospitals described in Section 148.25(b)(2)(C), reimbursement for outpatient indigent volume adjustment payments, as described in subsection (b)(5) above, shall be in accordance with subsection (b)(5) above.
- C) For those encounter rate hospitals described in Sections 148.25(b)(2)(A) and (b)(2)(B), the reimbursement described in subsection (f)(1)(A) above shall be adjusted in accordance with subsection (e)(7)(B) below.
- 2) Fee-For-Service Reimbursement
  - A) For those encounter rate hospitals described in Sections 148.25(b)(2)(A) and (b)(2)(C), reimbursement shall be in accordance with subsection (a).
  - B) For those encounter rate hospitals described in Section 148.25(b)(2)(B), the reimbursement described in subsection (d)(2)(A) above shall be adjusted in accordance with subsection (d)(7)(B) below.
- 3) End-Stage Renal Disease Treatment (ESRDT) Reimbursement
  - A) Encounter rate hospitals, as described in Sections 148.25(b)(2)(A) through (b)(2)(C) above, shall be reimbursed for ESRDT services in accordance with subsection (c) above.
  - B) For those encounter rate hospitals described in Sections 148.25(b)(2)(A) and (b)(2)(B), the reimbursement described in subsection (d)(3)(A) above shall be adjusted in accordance with subsection (d)(7)(B) below.
- 4) Encounter Rate Reimbursement - Hospital-Based
  - A) For those encounter rate hospitals described in Section 148.25(b)(2)(B) that do not qualify as Healthy Moms/Healthy

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## Section 148.140(d)(4)(A) (continued)

Kids managed care clinics, as described in 89 Ill. Adm. Code 140.461(f) and Section 148.25(b)(5), reimbursement for outpatient and hospital-based clinic services provided to individuals over the age of 20, with the exception of those services described in subsections (a)(1)(A), (b)(1)(B), and (a)(1)(D) of this Section, shall be reimbursed on an all-inclusive per encounter rate basis as follows:

i) The all-inclusive per encounter rate shall be calculated based upon mean outpatient/clinic payments to Chicago major teaching hospitals for dates of service paid in February through April, 1990.

ii) The all-inclusive per encounter rate calculated in accordance with subsection (d)(4)(A)(i) above, shall be adjusted in accordance with subsection (d)(7)(A) below.

B) For those encounter rate hospitals described in Section 148.25(b)(2)(B) that do not qualify as Healthy Moms/Healthy Kids managed care clinics, as described in 89 Ill. Adm. Code 140.461(f) and Section 148.25(b)(5), reimbursement for outpatient and hospital-based clinic services provided to individuals under the age of 20, with the exception of those services described in subsections (a)(1)(A), (a)(1)(B), and (a)(1)(D) of this Section, shall be reimbursed on an all-inclusive per encounter rate basis as follows:

i) The all-inclusive per encounter rate shall be calculated based upon mean outpatient/clinic payments to Chicago major teaching hospitals that do not participate in the vaccine replacement program for dates of service paid in February through April, 1990.

ii) The all-inclusive per encounter rate calculated in accordance with subsection (d)(4)(B)(i) above, shall be adjusted in accordance with subsection (d)(7)(A) below.

5) Encounter Rate Reimbursement - County-Operated Outpatient Facilities

For those encounter rate hospitals described in Section 148.25(b)(2)(D) that do not qualify as Healthy Moms/Healthy Kids

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## Section 148.140(d)(5) (continued)

managed care clinics, as described in 89 Ill. Adm. Code 140.461(f) and Section 148.25(b)(5), reimbursement for all services provided by county-operated outpatient facilities shall be reimbursed on an all-inclusive per encounter rate basis as follows:

A) Base Rate. The per encounter base rate shall be calculated as follows:

i) Allowable direct costs shall be divided by the number of direct encounters to determine an allowable cost per encounter delivered by direct staff.

ii) The resulting quotient, as calculated in subsection (d)(5)(A)(i) above, shall be multiplied by the Medicare allowable overhead rate factor to calculate the overhead cost per encounter.

iii) The resulting product, as calculated in subsection (d)(5)(A)(ii) above, shall be added to the resulting quotient, as calculated in subsection (d)(5)(A)(i) above to determine the per encounter base rate.

iv) The resulting sum, as calculated in subsection (d)(5)(A)(iii) above, shall be the per encounter base rate.

B) Supplemental Rate

i) The supplemental service cost shall be divided by the total number of direct staff encounters to determine the direct supplemental service cost per encounter.

ii) The supplemental service cost shall be multiplied by the allowable overhead rate factor. The allowable overhead rate factor is calculated by dividing the product derived in subsection (d)(5)(B)(ii) above by the quotient derived in subsection (d)(5)(B)(i) above.

iii) The quotient derived in subsection (d)(5)(B)(i) above, shall be added to the product derived in subsection (d)(5)(B)(ii) above, to determine the per encounter supplemental rate.

iv) The resulting sum, as described in subsection



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## Section 148.140(d)(5)(B)(iv) (continued)

(d)(5)(B)(iii) above, shall be the per encounter supplemental rate.

## C) Final Rate

- i) The per encounter base rate, as described in subsection (d)(5)(A)(iv), shall be added to the per encounter supplemental rate, as described in (d)(5)(B)(iv), to determine the per encounter final rate.
- ii) The resulting sum, as determined in subsection (d)(5)(C)(i) above, shall be the per encounter final rate.
- iii) The per encounter final rate, as described in subsection (d)(5)(C)(ii) above, shall be adjusted in accordance with subsection (d)(7)(A) below.

## 6) Healthy Moms/Healthy Kids Managed Care Clinics

For those encounter rate hospitals, as described in Section 148.25(b)(2), that qualify as Healthy Moms/Healthy Kids Managed Care Clinics, as described in 89 Ill. Adm. Code 140.461(f) and Section 148.25(b)(5), reimbursement shall be in accordance with 89 Ill. Adm. Code 140.464.

## 7) Rate Adjustments

In the case of encounter rate hospitals described in Sections 148.25(b)(2)(A), 148.25(b)(2)(B), and 148.25(b)(2)(D), rate adjustments shall be calculated as follows:

- A) The reimbursement rates described in subsections (d)(1)(A) and (d)(2) through (d)(5) of this Section shall be no less than the reimbursement rates in effect on June 1, 1992, except that this minimum shall be adjusted on the first day of July of each year by the annual percentage change in the per diem cost of inpatient hospital services as reported on the two most recent annual Medicaid cost reports. The per diem cost of inpatient hospital services shall be calculated by dividing the total allowable Medicaid costs by the total allowable Medicaid days.

- B) The rate adjustment described in subsection (d)(7)(A) above

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## Section 148.140(d)(7)(B) (continued)

shall apply to the reimbursement rates described in subsections (d)(1)(A), (d)(2) and (d)(3) above and 89 Ill. Adm. Code 140.464(a) and 140.464(b)(1); however, such rate adjustment shall be applied retrospectively.

- 8) Encounter rate hospitals shall be required to submit outpatient cost reports to the Department within 90 days of the close of the encounter rate hospital's fiscal year. With the exception of the retrospective rate adjustment described in subsection (b)(7)(B), no year-end reconciliation for outpatient and clinic services is made.

- 9) Services are available to all clients in geographic areas in which an encounter rate hospital or a county-operated outpatient facility is located. All specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to encounter rate hospitals in the same manner as to hospitals reimbursed under the Ambulatory Care Program and to non-hospital and hospital providers who bill and receive reimbursement on a fee-for-service basis.

- e) Reimbursement for encounter rate hospital-outpatient-and hospital-based clinic services is on a fee-for-service-basis-except for those services that meet the definition of the Hospital Ambulatory Care Program as described in subsection (c)(4) and except as described in subsection (b) for ESRD Services, subsection (c)(5) for encounter rate hospitals described in Section 148.25(b)(2)(B), and subsection (c)(6) for county-operated outpatient facilities described in Section 148.25(b)(2)(B).

- 1) Effective July 1, 1990, encounter rate hospitals are defined as those hospitals described in Section 148.25(b)(2)(B).

- 2) Effective July 1, 1991, encounter rate hospitals are defined as:

- A) those hospitals described in Section 148.25(b)(2)(A) or
- B) those hospitals described in Section 148.25(b)(2)(B) or
- C) those county-operated outpatient facilities described in Section 148.25(b)(2)(B).

- 3) Effective September 1, 1991, encounter rate hospitals are defined as:



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## Section 148.140(c)(3) (continued)

- A) those hospitals described in Section 148.25(b)(2)(A) or
- B) those hospitals described in Section 148.25(b)(2)(B) or
- C) those hospitals described in Section 148.25(b)(2)(C) or
- D) those county-operated outpatient facilities described in Section 148.25(b)(2)(D),
- 4) For encounter rate hospitals with the exception of those county-operated outpatient facilities described in Section 148.25(b)(2)(D), a Hospital Ambulatory Care list defines those technical procedures that require the use of the hospital outpatient setting, its technical staff and/or equipment. This list is updated periodically. The procedures are grouped according to type and complexity, each with a separate rate structure as follows:
- A) High level technology surgeries are reimbursed at the lesser of charges or the hospital's alternate reimbursement rate as defined in Section 148.270(a), equivalent to the rate of a one-day inpatient stay.
- B) Certain non-surgically very-high level technology services recognized and approved by the Department as safe outpatient procedures will be reimbursed in a category separate from other specialized cardiac and diagnostic procedures and will be reimbursed at the lesser of charges or one of two separate rate maximums depending upon whether the hospital is classified as:
- i) a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a major teaching hospital as defined in Section 148.25(b)(1) or
- ii) with the exception of a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a hospital defined in Section 148.25(e) through (f),
- G) Other surgically specialized cardiac and diagnostic procedures will be reimbursed at the lesser of charges or one of two separate rate maximums depending upon whether the hospital is classified as:
- i) a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a major teaching hospital as defined in

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## Section 148.140(c)(4)(C)(i) (continued)

- in Section 148.25(d) or
- ii) with the exception of a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a hospital defined in Section 148.25(e) through (f),
- B) Specialized treatment procedures, observation services, high risk, and emergency room services will be reimbursed at the lesser of charges or a set rate maximum or one of two separate rate maximums depending upon whether the hospital is classified as:
- i) a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a major teaching hospital as defined in Section 148.25(d) or
- ii) with the exception of a children's hospital as defined in 89-III-Adm-Code 149.50(e)(3) or a hospital defined in Section 148.25(e) through (f) and
- iii) whether the service is provided in the outpatient, general clinic, psychiatric clinic, or rehabilitation clinic department.
- 5) For an encounter rate hospital described in Section 148.25(b)(2)(3), all outpatient and hospital-based clinic services not described in subsection (b)(4) above are reimbursed at a set rate maximum.
- 6) For county-operated outpatient facilities described in Section 148.25(b)(2)(3), all outpatient services are reimbursed at a set rate maximum.
- 7) Effective October 1, 1992, and in subsequent years, effective the first day of July of each year, reimbursement rates described in subsections (4), (5) and (6) above shall be adjusted by the annual percentage change in the per-diem cost of inpatient hospital services as reported in the most recent annual Medicaid cost report.
- 8) Encounter rate hospitals are required to submit outpatient cost reports to the Department within 90 days after the close of the hospital's fiscal year. The Department shall reconcile encounter rate hospital reimbursement rates to the amount described in subsection (7) above.

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## Section 148.140(c) (continued)

- 9) Services are available to all clients in geographic areas in which an encounter rate hospital is located.
- 10) All specific client coverage policies (relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to encounter rate hospitals in the same manner as to hospitals reimbursed under the Ambulatory Care Program and to non-hospital and hospital providers who bill and receive reimbursement on a fee-for-service basis.
- 11) Inpatient restricted procedures as provided in subsection (a)(4) shall apply to encounter rate hospitals.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.150 Uncompensated Care Payment Adjustments  
EMERGENCY

- a) The Department shall make uncompensated care payments to qualified hospitals that are reimbursed under Sections 148.170, 148.250 through 148.300 or 89 Ill. Adm. Code 149. The Department shall adjust each of these uncompensated care payments to ensure that aggregate payments do not exceed the amount that can reasonably be estimated would have been paid under Medicare payment principles, in compliance with 42 CFR 447.272, Application of Upper Payment Limits.
- b) For the period August 1, 1991 through September 30, 1992, July 31, 1992, the hospital's uncompensated care payment shall be calculated and paid in accordance with the statutes and administrative rules governing the time period when the services were rendered.
- c) As a condition of eligibility for an uncompensated care payment adjustment during the August 1, 1991, uncompensated care rate year, each hospital shall submit, on or before October 1 of the uncompensated care rate year January 15, 1992, the following information separated by inpatient and outpatient and (including hospital-based clinic services) information to the Department for the period August 1, 1990 through July 31, 1991:
- 1) The dollar amount of uncompensated care charges rendered in the period described above.
  - 2) The dollar amount of charges rendered during this period

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## Section 148.150(c)(2) (continued)

reimbursed by the Department under General Assistance (Article VI of the Public Aid Code) or Aid to the Medically Indigent (Article VII of the Public Aid Code).

- 3) The dollar amount of Medicaid charges rendered in the period described above.
- 4) The dollar amount of total charges for care rendered in the period described above.
- d) For the period August 1, 1992, through September 30, 1992, the hospital's uncompensated care payment shall be calculated in accordance with Section 148.204b. This payment is contingent upon the Department's receipt of the data described in subsection (c) above in accordance with the time limitation described in subsection (e) above.

d) Effective on or after October 1, 1992, as a condition of eligibility for an uncompensated care payment adjustment for the uncompensated care rate year, each hospital shall annually submit, on or before October 1 of the uncompensated care rate year (or on or before October 21, 1992, for the October 1992 uncompensated care rate year), the following information separated by inpatient and outpatient and (including hospital-based clinic services) information to the Department:

- 1) The dollar amount of uncompensated care charges rendered in the previous uncompensated care base year.
- 2) The dollar amount of charges rendered in the previous uncompensated care base year that are reimbursable by the Department for those program participants covered under the Family and Children Assistance Program, formerly known as the General Assistance Program (Article VI of the Public Aid Code).
- 3) The dollar amount of Medicaid charges rendered in the previous uncompensated care base year.
- 4) The dollar amount of total charges for care rendered in the previous uncompensated care base year.

e) Effective on or after October 1, 1992, as a condition of eligibility for an uncompensated care payment adjustment for the uncompensated care rate year, hospitals that did not comply with the data requirements described in subsection (c) above shall submit, on or before October 21, 1992, the data required under subsection (c) above



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## Section 148.150(e) (continued)

in addition to the data required under subsection (d) ~~(e)~~ above. Effective on or after October 1, 1993, as a condition of eligibility for an uncompensated care payment adjustment for the uncompensated care rate year, hospitals that did not comply with the data requirement described in subsection ~~(e)~~ ~~above~~ ~~for the previous~~ ~~uncompensated care rate year~~ ~~shall submit, on or before October 1 of~~ ~~the uncompensated care rate year, the data required under subsection~~ (c) above for the initial ~~previous~~ uncompensated care base rate year shall be required to submit, by the first day of October of the uncompensated care rate year, the data described in subsection (c) above in addition to the data required under subsection (d) ~~(e)~~ above.

~~f)g)~~ The data submitted under subsections (c), (d) and (e) ~~and (f)~~ above shall be contain a statement ~~for the uncompensated care rate year~~ signed by the chief financial officer or chief executive officer certifying to the accuracy of the data submitted.

~~g)h)~~ Effective with the ~~on or after~~ October 1, 1992, uncompensated care rate year, all hospitals that are reimbursed under Sections 148.170, 148.250 through 148.300, or 89 Ill. Adm. Code 149 that are required to submit cost reports in accordance with Section 148.210(a) shall be eligible for an uncompensated care payment adjustment for the uncompensated care rate year subject to the reporting requirements of subsections (c), (d) and (e) ~~and (f)~~ above, and the provisions of subsection ~~(j)~~ ~~subsection (f)~~ below. The uncompensated care payment for the uncompensated care rate year shall be calculated by multiplying the number of Medicaid days, excluding days for normal newborns, provided by the hospital in the uncompensated care base fiscal year which were subsequently adjudicated by the Department through the last day of June preceding the uncompensated care rate year and contained within the Department's paid claims data base by \$52.65.

~~h)~~ Effective on or after October 1, 1993, all hospitals that are reimbursed under Sections 148.250 through 148.300, or 89 Ill. Adm. Code 149 that are required to submit cost reports in accordance with Section 148.210(a) shall be eligible for an uncompensated care payment adjustment for the uncompensated care rate year subject to the reporting requirements of subsections (c), (d) and (e) above, and the provisions of subsection (j) below. The uncompensated care payment for the uncompensated care rate year shall be calculated by multiplying the number of Medicaid days, excluding days for normal newborns, provided by the hospital in the uncompensated care base fiscal year which were subsequently adjudicated by the Department through the last day of June preceding the uncompensated care rate

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## Section 148.150(h) (continued)

year and contained within the Department's paid claims data base by \$52.65.

i) In addition to the amount calculated in subsections (g) and (h) above, for the period July 1, 1993, through June 30, 1994, each hospital shall receive an additional uncompensated care payment adjustment. This additional uncompensated care payment adjustment shall be calculated by dividing \$16.5 million by the number of Medicaid days, excluding days for normal newborns, provided by all hospitals in the uncompensated care base fiscal year which were subsequently adjudicated by the Department through the last day of June preceding the uncompensated care rate year and contained within the Department's paid claims data base.

j)k) Effective on or after October 1, 1992, a hospital will not be eligible for an uncompensated care payment adjustment under this Section for the uncompensated care rate year if the data supplied under subsections (c), (d) and (e) ~~and (f)~~ above indicate a significant decrease in the level of uncompensated care utilization rate. This determination will be made by comparing the level of uncompensated care provided in the immediately previous uncompensated care base year to the level of uncompensated care provided in the initial base year of August 1, 1990, through July 31, 1991. For purposes of this determination, uncompensated care in the base year of August 1, 1990, through July 31, 1991, and in subsequent uncompensated care base years shall, in addition to its usual definition, include charges for services reimbursable by the Department under the Family and Children Assistance Program, formerly known as General Assistance (Article VI), and Aid to the Medically Indigent (formerly Article VII). For example, eligibility for a payment adjustment for the uncompensated care rate year beginning October 1, 1992, shall be subject to a determination that there is not a significant decrease in the level of uncompensated care utilization rate provided from August 1991 through July 1992 as compared to the level of uncompensated care provided from August 1990 through July 1991. Factors which the Department may consider in determining whether a significant decrease in uncompensated care has occurred may include, but not be limited to, a change in socioeconomic characteristics of the community.

k)j) Reimbursement for uncompensated care payment adjustments shall be made on a quarterly basis, payable to the hospital in the quarter following each quarter for which the hospital is entitled to an uncompensated care payment adjustment.



## Section 148.150 (continued)

1) All hospitals eligible for an uncompensated care payment adjustment shall be deemed to have met the requirements of Section 5-17 of the Public Aid Code that hospitals provide equal access to available services to low-income persons who are eligible for assistance under Articles V, VI and VII of the Public Aid Code. Nothing in this subsection shall be construed to imply that a hospital that is ineligible for an uncompensated care payment adjustment has not met the requirements of Section 5-17 of the Public Aid Code.

m) Inpatient Payment Adjustments Based Upon Uncompensated Care Payment Adjustment Reviews. Appeals based upon a hospital's ineligibility for the uncompensated care payment adjustments described in this Section, or their payment adjustment amounts, in accordance with Section 148.310, which result in a change in a hospital's eligibility for uncompensated care payment adjustments or a change in a hospital's uncompensated care payment adjustment amounts, shall not affect the uncompensated care payment adjustments of any other hospital or the payment adjustment amount of any other hospital that has received notification from the Department of their eligibility for uncompensated care payment adjustments based on the requirements of this Section.

## n) Definitions

- 1) "Medicaid charges" means hospital charges for inpatient, outpatient and hospital-based clinic services provided to recipients of medical assistance under Title XIX of the Social Security Act.
- 2) "Medicaid Days" means hospital days reimbursed by the Department for recipients of medical assistance under Title XIX of the Social Security Act.
- 3) "Total charges" means the total amount of a hospital's charges for inpatient, outpatient and hospital-based clinic services it has provided.
- 4) "Uncompensated care base fiscal year" means, for example, State Fiscal Year 1991, for the October 1, 1992, uncompensated care rate year, State Fiscal Year 1992, for the October 1, 1993, uncompensated care rate year, etc.
- 5) "Uncompensated care base year" means August 1 through July 31 of each year, beginning with the initial August 1, 1990, through July 31, 1991, base year.

## Section 148.150(n) (continued)

6) "Uncompensated care charges" for a hospital means:

A) the hospital's charges for inpatient, outpatient and hospital-based clinic services for which the hospital was not reimbursed by either the patient or a third party (including the Department);

B) less:

i) the amount of the hospital's bad debt recoveries for inpatient, outpatient and hospital-based clinic services; and

ii) the hospital's charges attributable to inpatient, outpatient and hospital-based clinic services that if provided without charge or at reduced charges under its obligation under the federal Hill-Burton Act (42 U.S.C. 291 et seq.).

7) "Uncompensated care rate year" means October 1 through September 30 of each year, beginning with the October 1, 1992 rate year.

8) "Uncompensated care utilization rate" means a fraction, the numerator of which is the hospital's uncompensated care charges provided in a given twelve month period, and the denominator of which is the hospital's total charges in that same period. In this paragraph, the term "uncompensated care charges" shall include, in addition to its usual definition, charges for services reimbursable by the Department under the Family and Children Assistance Program, formerly known as General Assistance (Article VI), and Aid to the Medically Indigent (formerly Article VII).

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.160 Payment Methodology for County-Owned Hospitals in an  
EMERGENCY Illinois County with a Population of Over 3 Million

a) Reimbursement Methodology

In accordance with 89 Ill. Adm. Code 149.50 (c)(8), county-owned hospitals in an Illinois county with a population greater than three million are excluded from the DRG PPS and are reimbursed in accordance with this section.

## Section 148.160 (continued)

## b) Base Year Costs

1) The hospitals' Each hospital's base year operating costs shall be the Medicare cost per diem contained in the hospitals' hospital's audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospitals fiscal years ending between 2019 and 31 30 months prior to the fiscal year for which rates are being set (every calendar year 1989 for fiscal year 1992 rates calendar year 1990 for fiscal year 1993 rates, etc.). In the event that an audited cost report is not available at the time rates are calculated, the unaudited report for the applicable period shall be used for the calculation of interim rates. Upon completion of the audit, the rates shall be recalculated. Payments made under the interim rate shall be reconciled.

2) The hospitals' Each hospital's base year capital related costs shall be derived from the same audited cost reports report used for operating costs in subsection (b)(1) above.

3) The hospitals' Each hospital's base year direct medical education costs shall be derived from the same audited cost reports report used for operating costs in subsection (b)(1) above.

4) Each hospital's The base year cost per diem costs shall be the sum of the hospital's operating cost per diem costs, capital related cost per diem costs and medical education cost per diem costs defined in subsections (b)(1) through (b)(3).

5) For new hospitals, for which a base year cost report is not on file, the Department will be reimbursed the per diem rate calculated in subsection (b)(4) above and inflated in subsection (d)(1) below. Use a more recently filed cost report or, if no cost report is on file, the hospital's estimate of cost adjusted as necessary according to experience with hospitals of similar size, location and service intensity. The Department will recalculate any reimbursement rate based on a rate estimated as soon as a cost report becomes available. The recalculated rate will be effective for the entire fiscal year and the Department will retroactively adjust payments if reported costs are not consistent with the estimate on which the payments are based.

## c) Restructuring Adjustments

## Section 148.160(c) (continued)

Adjustments to the base year cost per diem, as described in subsection (b)(4) above, base year costs will be made to reflect restructuring since filing the base year cost reports report. The health and safety standards. The allowable Medicare/Medicaid costs (see 42 CFR Part 405, Subpart D, 1982) must be incurred as a result of mandated restructuring and identified from the most recent audited cost reports report available before or during the rate year. The restructuring costs must be significant, i.e., on a per unit basis; they must constitute one percent or more of the total allowable Medicare/Medicaid unit costs for the same time period. The Department will use the most recent available audited cost reports report to determine restructuring costs. If an audited cost reports report becomes available during the rate year, the reimbursement rate will be recalculated at that time to reflect restructuring cost adjustments. For audited reports received at the Office of Health Finance, Illinois Department of Public Aid, between the first and fifteenth of the month, the effective date of the recalculated rate will be the first day of the following month. For audited reports received at the Finance Section between the sixteenth and last day of the month, the effective date will be the first day of the second month following the month the reports are report is received. Allowable restructuring costs are adjusted to account for inflation from the midpoint of the restructuring cost reporting year to the midpoint of the base year according to the index and methodology of Data Resources, Inc. (DRI), national hospital market basket price proxies and added to the base year cost per diem, as described in subsection (b)(4), which is subject to the inflation adjustment described in subsection (d) below base year costs.

## d) Inflation Adjustment For Base Year Cost Report Inflator

1) The base year cost per diem, as defined in subsection (b)(4) above, shall be inflated from the midpoint of the hospitals' base year to the midpoint of the time period for which rates are being set (rate period) according to the historical rate of annual cost increases. The historical rate of annual cost increases shall be calculated by dividing the operating cost per diem as defined in subsection (b)(1) above by the previous year's operating cost per diem.

2) Effective October 1, 1992, and in subsequent years, effective the first day of July of each year, base year costs including any adjustments for mandated restructuring shall be adjusted by the annual percentage change in the per diem cost of inpatient hospital services as reported in the most recent annual Medicaid-



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## Section 148.160(d)(2) (continued)

~~cost report; however, in no instance shall the adjusted rate effective October 1, 1992, and thereafter be less than the rate in effect on June 1, 1992, the final reimbursement rate shall be no less than the reimbursement rate in effect on June 1, 1992; except that this minimum shall be adjusted each July 1 thereafter by the annual percentage change in the per diem cost of inpatient hospital services as reported in the most recent annual Medicaid cost reports.~~

## e) Review Procedure

The review procedure shall be in accordance with Section 148.310.

## f) Applicable Adjustments for DSH Hospitals

- 1) The criteria and methodology for making applicable adjustments to DSH hospitals which are exempt from the DRG PPS as described in subsection (a) above, shall be in accordance with Section 148.120.
- 2) In addition to the DSH payment adjustment ~~adjustments~~ described in Section 148.120, hospitals reimbursed under this Section shall have supplemental DSH payments calculated by multiplying the sum of the base year cost per diem, as described in subsection (b)(4) above, as adjusted for restructuring, as described in subsection (c) above, and as adjusted for inflation, as described in subsection (d) above, and ~~hospital's base-year costs plus the calculated disproportionate share per diem payment adjustment adjustments-per-diem from as described in Section 148.120 by the hospitals' hospital's percentage of inpatient days which are not reimbursed by a third party payer.~~ Effective October 1, 1992, and in subsequent years, effective the first day of July of each year, the supplemental DSH payments calculated under this subsection shall be no less than the supplemental DSH rates in effect on June 1, 1992, except that this minimum shall be adjusted as of July 1, 1992, and on the first day of July of each year thereafter, by the annual percentage change in the per diem cost of inpatient hospital services as reported in the most recent annual Medicaid cost reports; ~~however, in no instance shall the supplemental DSH payments calculated effective October 1, 1992, and thereafter be less than the supplemental DSH payments in effect on June 1, 1992.~~ The per diem cost of inpatient hospital services is calculated by dividing the total allowable Medicaid cost by the total allowable Medicaid days. The supplemental DSH payment adjustment shall be paid on a per diem basis and shall be

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## Section 148.160(f)(2) (continued)

applied to each covered day of care provided.

## g) Outlier Adjustments

Outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with Section 148.130.

- h) Trauma Center Adjustments. Trauma center adjustments shall be made in accordance with Section 148.290(c).

## i) Reductions to Total Payments

- 1) Copayments. Copayments are assessed under all medical programs administered by the Department except the Family and Children Assistance Program, formerly known as the General Assistance Program, and shall be assessed in accordance with Section 148.190.
- 2) Third Party Payments. The requirements of Section 148.290(j)(2) ~~148.290(e)(2)~~ shall apply.
- j) Prepayment and Utilization Review  
Prepayment and utilization review requirements shall be in accordance with Section 148.240.
- k) Cost Reporting Requirements  
Cost reporting requirements shall be in accordance with Section 148.210.

## l) Rate Period

The rate period for hospitals reimbursed under this Section shall be the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

(Source: Emergency amendment at 17 Ill. Reg. <sup>17323</sup>, effective October 1, 1993, for a maximum of 150 days)

Section 148.170 Payment Methodology for State-Owned Hospitals in an  
EMERGENCY Illinois County with a Population of Over 3 Million

- a) In accordance with 89 Ill. Adm. Code 149.50(c)(8), state-owned



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## Section 148.170(a) (continued)

hospitals in an Illinois county with a population greater than three million are excluded from the DRG PPS and are reimbursed in accordance with this section.

## b) Base Year Costs

- 1) Each hospital's base year cost per diem shall be derived from audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospitals' fiscal years ending between 19 and 30 months prior to the fiscal year for which rates are being set (i.e., Calendar Year 1989 for Fiscal Year 1992 rates, Calendar Year 1990 for Fiscal Year 1993 rates, etc.) will be used to define base year costs.

- 2) For new hospitals for which a base year cost report is not on file, the Department will use a more recent filed cost report or, if no cost report is on file, the hospital's estimate of costs, adjusted as necessary according to experience with hospitals of similar size, location and service intensity. The Department will recalculate any reimbursement rate based on a rate estimated as soon as a cost report becomes available. The recalculated rate will be effective for the entire fiscal year and the Department will retroactively adjust payments if reported costs are not consistent with the estimate on which the payments are based.

## c) Restructuring Adjustment

Adjustments to base year costs will be made to reflect restructuring since filing the base year cost report. The restructuring must have been mandated to meet state, federal or local health and safety standards. The allowable Medicare/Medicaid costs (see 42 CFR Part 405, Subpart D, 1982) must be incurred as a result of mandated restructuring and identified from the most recent audited cost report available before or during the rate year. The restructuring costs must be significant, i.e., on a per unit basis; they must constitute one percent or more of the total allowable Medicare/Medicaid unit costs for the same time period. The Department will use the most recent available audited cost report to determine restructuring costs. If an audited cost report becomes available during the rate year, the reimbursement rate will be recalculated at that time to reflect restructuring cost adjustments. For audited reports received at the Office of Health Finance, Illinois Department of Public Aid, between the first and fifteenth of the month, the effective date of the recalculated rate will be the first day of the following month.

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## Section 148.170(c) (continued)

For audited reports received at the Finance Section between the sixteenth and last day of the month, the effective date will be the first day of the second month following the month the report is received. Allowable restructuring costs are adjusted to account for inflation from the midpoint of the restructuring cost reporting year to the midpoint of the base year according to the index and methodology of Data Resources, Inc. (DRI), national hospital market basket price proxies and added to the base year costs.

## d) Inflation Adjustment For Base Year Cost Report Inflator

Base year costs, including any adjustments for mandated restructuring, will be updated from the midpoint of each hospital's base year to the midpoint of the fiscal year ~~rate-period~~ for which rates are being set according to the hospital's historical rate of annual cost increases. The historical rate of increase will be equal to the average yearly compounded increase in cost report cost per diems, and calculated using the base year index and methodology of ~~Data Resources, Inc. (DRI), national market basket price proxies.~~

## e) Review Procedure

The review procedure shall be in accordance with Section 148.310.

## f) Applicable adjustments for DSH Hospitals and Uncompensated Care

- 1) The criteria and methodology for making applicable adjustments to DSH hospitals which are exempt from the DRG PPS as described in subsection (a) above, shall be in accordance with Section 148.120. The criteria and methodology for making applicable adjustments for uncompensated care shall be in accordance with Section 148.150.
- 2) Effective October 1, 1993, in addition to the DSH payment adjustments described in Section 148.120, hospitals reimbursed under this Section shall have supplemental DSH payments calculated by multiplying the sum of the hospital's base year costs, as described in subsection (b) above, as adjusted for restructuring, as described in subsection (c) above and as adjusted for inflation, as described in subsection (d) above, and the calculated disproportionate share per diem payment adjustment as described in Section 148.120 by the hospital's percentage of inpatient days which are not reimbursed by a third party payer. The resulting product shall be multiplied by two

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## Section 148.170(f)(2) (continued)

and this amount shall be the supplemental DSH payment adjustment which shall be paid on a per diem basis and shall be applied to each covered day of care provided.

## g) Outlier Adjustments

Outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with Section 148.130.

## h) Reductions to Total Payments

1) Copayments. Copayments are assessed under all medical programs administered by the Department except the Children and Family Assistance Program, formerly known as the General Assistance Program, and shall be assessed in accordance with Section 148.190.

2) Third Party Payments. The requirements of Section 148.290(j)(2) 148.290(e)(2) shall apply.

## i) Prepayment and Utilization Review

Prepayment and utilization review requirements shall be in accordance with Section 148.240.

## j) Cost Reporting Requirements

Cost reporting requirements shall be in accordance with Section 148.210.

## k) Rate Period

The rate period for hospitals reimbursed under this Section shall be the 12 month period beginning on October 1 of the year and ending September 30 of the following year. In the event that an audited cost report is not available at the time rates are calculated, the un-audited report for the applicable period shall be used for the calculation of interim rates. Upon completion of the audit, the rates shall be reconciled. Payments made under the interim rate shall be reconciled.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

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Section 148.180 EMERGENCY Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting

a) Pre-Operative Days. For hospitals and distinct part units reimbursed on a per diem basis under Sections 148.160, 148.170 or 148.250 through 148.300, payment for pre-operative days shall be limited to the day immediately preceding surgery unless the attending physician has documented the medical necessity of an additional day or days. The documentation must be kept in the patient's medical record and must consist of a written notation made by the physician which documents that more than one pre-operative day is medically necessary.

## b) Inpatient Procedures Requiring Justification

1) A list of restricted inpatient procedures has been established. These restricted inpatient procedures will only be reimbursed when performed outside the inpatient setting or when the hospital supplies justification for an inpatient admission that meets Departmental established criteria. These criteria include, but are not limited to: in accordance with Section 148.140(a)(4), payment for inpatient hospital services will not be made for procedures which have been identified as procedures which may be performed safely in an outpatient setting (i.e., without an admission to the hospital for an overnight stay) unless documentation in the patient's medical record indicates that:

A) Presence of medical conditions which make prolonged post-operative observations by a nurse or skilled medical personnel a necessity (e.g., heart disease, severe diabetes);

B) The patient is in the hospital as an inpatient for a medically necessary condition unrelated to the surgical procedure;

C) An unrelated procedure is being done simultaneously which itself requires surgical hospitalization; The patient is in the hospital as an inpatient for an unrelated procedure to be performed on an inpatient basis simultaneously;

D) The practitioner has documented the medical necessity of performing the patient's surgery in an inpatient setting;

E) The patient is unable to comprehend and/or follow the necessary instruction both prior to and following the procedure due to mental and/or physical impairment, and



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## Section 148.180(b)(1)(E) (continued)

this would result in inadequate treatment and place the patient at risk;

F) Emergency admission or recent onset of severe symptoms would prohibit safely performing the procedure on an outpatient basis (e.g., bleeding, severe pain, nausea, vomiting); and

G) Admission occurs subsequent to the performance of the procedure on an outpatient basis due to conditions such as:

- i) Instability of vital signs;
- ii) Respiratory distress greater than existed pre-operatively;
- iii) Post-operative pain not relieved by oral medication;
- iv) Uncontrolled bleeding;
- v) Lack of state of consciousness appropriate to age and development;
- vi) Presence of persistent nausea or vomiting; and
- vii) Inability to ambulate consistent with age, previous mobility status and/or procedure.

2) The list of procedures identified as restricted inpatient procedures which may be safely performed outside the inpatient setting and do not require that an inpatient admission are ~~would~~ be reevaluated periodically annually.

3) Additions to and deletions from the list of designated restricted inpatient procedures will be made following notice to and consultations with the Department's professional advisory committees, State Medicaid Advisory Committee, representatives selected by the hospitals, other third party payors, the Illinois Hospital Association, and other interested groups or individuals.

## c) Ancillary Services and Tests

1) Ancillary services and routine tests (those services other than routine room and board and nursing which are required because of

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## Section 148.180(c)(1) (continued)

the patient's medical condition, including lab tests and x-rays) shall not be covered unless there is a patient specific written order for the test from the attending or operating physician responsible for the care and treatment of the patient. The attending or operating physician responsible for the care and treatment of the patient is required to sign all applicable sections for each test ordered in the appropriate place in the medical record. The order must be legible and explain completely all services or tests to be performed. Standing orders are not acceptable.

2) Upon completion of the service or test, a fully documented description of results with findings, or the administration of medication, must be maintained in the patient medical records. Radiological services must have the actual x-rays and the interpretation report; laboratory/pathological tests must have the specific findings for each test; and drugs and pharmaceutical supplies must indicate strength, dosages and durations.

3) Charges for any and all such services or tests cannot exceed those charged to the general public. The failure to maintain and provide records as described in this Section shall result in the disallowance of the applicable charges upon audit.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

## Section 148.200 Alternate Reimbursement Systems

## EMERGENCY

- a) Section 148.210 discusses cost reporting requirements for all hospitals participating in the Medicaid Program.
- b) Section 148.220 describes the payment methodology for hospital inpatient services to recipients for admissions occurring prior to September 1, 1991.
- c) The payments described in Sections 148.250 through 148.300 shall be effective for admissions on and after October 1, 1992, September 1, 1991 subject to the provisions of Section 148.20(b).
- d) The payments described in Section 148.82 148-89 shall be effective for admissions on and after September 1, 1991, with the exception of provisions that relate to pancreas or kidney-pancreas transplants.



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## Section 148.200(d) (continued)

Provisions relating to pancreas or kidney-pancreas transplants shall be effective for admissions on and after July 1, 1992.

- e) Sections 148.250 through 148.300 describe the payment methodologies for hospital inpatient services to recipients of Medical Assistance provided by a hospital not reimbursed under the DRG Prospective Payment System (PPS) described in 89 Ill. Adm. Code 149 or the reimbursement methodologies described in Sections 148.82 ~~148.80~~, 148.160 and 148.170.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

## Section 148.210 Filing Cost Reports

EMERGENCY

- a) All hospitals in Illinois, those hospitals in contiguous states providing 100 or more inpatient days of care to Illinois program participants, and all hospitals located in states contiguous to Illinois that elect to be reimbursed under the methodology described in 89 Ill. Adm. Code 149 (the DRG Prospective Payment System), shall be required to file Medicaid cost reports within 90 days of the close of that provider's fiscal year.

- b) The Department may grant a 30-day extension of the due date for good cause.

- c) The assessment or license fees described in 89 Ill. Adm. Code ~~Sections~~ 140.80, 140.82, 140.84, 140.94 and 140.95, may not be reported as allowable Medicaid costs on the Medicaid cost report.

- d) For a hospital that is electing to participate in the Illinois Medicaid Program and has not filed a Medicaid cost report before, the hospital must submit the two most recently audited Medicare cost reports at the time of enrollment.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

## Section 148.230 Admissions Occurring on or after September 1, 1991

EMERGENCY

Reimbursement to hospitals not reimbursed under the DRG PPS (see 89 Ill. Adm. Code 149) or the reimbursement methodologies established at Sections 148.82

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## Section 148.230 (continued)

~~148.80~~, 148.160 and 148.170 for inpatient admissions occurring on or after September 1, 1991, shall be calculated in accordance with Sections 148.250 through 148.300, subject to the provisions of Section 148.20(b).

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.240 Utilization Review and Furnishing of Inpatient Hospital EMERGENCY Services Directly or Under Arrangements

## a) Utilization Review

The Department, or its designee, may conduct preadmission, concurrent, prepayment, and postpayment reviews of:

- 1) The quality and nature of the utilization of health services;
- 2) The medical necessity, reasonableness and appropriateness of inpatient hospital care for which additional payment is sought under outlier provisions;
- 3) The validity of the hospital's diagnostic and procedural information;

- 4) The completeness, adequacy and quality of the services furnished in the hospital; or

- 5) Other medical or other practices with respect to program participants or billing for services furnished to program participants.

## b) Medical Review Notification

Hospitals shall be notified at least ~~thirty~~-(30) days in advance of any preadmission, concurrent, or prepayment review requirements imposed by the Department.

## c) Prepayment Review

The Department may require hospitals to submit claims to the Department for prepayment review and approval prior to rendering payment for services provided. Such prepayment review requirements will be focused on areas where the Department has substantial reason to suspect abuse (e.g., hospital billings deviate from the norm). The review may be conducted by the Department or its designated peer

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## Section 148.240(c) (continued)

review agents. Prepayment review shall be used to determine the appropriateness and medical necessity of the inpatient stay. Payment shall not be made unless the medical necessity of the inpatient stay can be documented. The Department shall notify the hospital by letter or Department Informational Notice of the designated services which shall be subject to prepayment review. The prepayment review requirement shall commence ~~thirty~~(30) days after the Department has given notice to the hospital of the designated services which shall be reviewed.

## d) Postpayment Review

Postpayment review shall be conducted on a random sample of hospital stays following reimbursement to the hospital for the care provided. The Department may also conduct postpayment review on specific types of care.

## e) Hospital Utilization Control. Hospitals and distinct part units that participate in Medicare (Title XVIII) must use the same utilization review standards and procedures and review committee for Medicaid as they use for Medicare. Hospitals and distinct part units that do not participate in Medicare (Title XVIII) must meet the utilization review plan requirements in 42 CFR, Ch. IV, Part 456, Subparts C, D, or E (October 1, 1991). Utilization control requirements for inpatient psychiatric hospital care in a psychiatric hospital, as defined in 89 Ill. Adm. Code 149.50(c)(1) shall be in accordance with federal regulations at 42 CFR, CH. IV, Part 456, Subpart G (October 1, 1991).

## f) Denial of Payment as a Result of Admissions, Length of Stay, Transfers and Quality Review

1) If the Department determines that a hospital has misrepresented admissions, length of stay, discharges, or billing information, or has taken an action that results in the unnecessary admission or inappropriate discharge of a program participant, unnecessary multiple admissions of a program participant, unnecessary transfer of a program participant, or other inappropriate medical or other practices with respect to program participants or billing for services furnished to program participants, the Department may, as appropriate:

- A) Deny payment (in whole or in part) with respect to inpatient hospital services provided with respect to such an unnecessary admission, inappropriate length of stay or

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## Section 148.240(f)(1)(A) (continued)

discharge, subsequent readmission or transfer of an individual.

- B) Require the hospital to take action necessary to prevent or correct the inappropriate practice.

- C) Perform prepayment review in accordance with Section 148.240(c) ~~148.240(b)~~.

- 2) When payment with respect to the discharge of an individual patient is denied by the Department or its designee, under subsection (f)(1)(A), a reconsideration will be provided within 30 days upon the request of a practitioner or provider if such request is the result of the designee's own medical necessity or appropriateness of care denial determination and is received within 60 days of the Advisory Notice. The date of the Advisory Notice is counted as day one.

- 3) A determination under subsection (f)(1) above, if it is related to a pattern of inappropriate admissions, length of stay and billing practices that has the effect of circumventing the prospective payment system, may result in:

- A) withholding Medicaid payment (in full or in part) to the hospital until the hospital provides adequate assurances of compliance; or
- B) termination of the hospital's Provider Agreement.

## g) Furnishing of Inpatient Hospital Services Directly or Under Other Arrangements

- 1) The applicable payments made under Sections 148.82 ~~148.80~~, 148.120, 148.130, 148.150, 148.160, 148.170 and 148.250 through 148.300 are payment in full for all inpatient hospital services other than for the services of nonhospital-based physicians to individual program participants and the services of certain hospital-based physicians as described in subsections (g)(1)(B)(i) through (g)(1)(B)(v) below.

- A) Hospital-based physicians who may not bill separately on a fee-for-service basis:

- i) A physician whose salary is included in the hospital's cost report for direct patient care may not bill separately on a fee-for-service basis.

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## Section 148.240(g)(1)(A) (continued)

- ii) A teaching physician who provides direct patient care may not bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution includes a component for treatment services.

B) Hospital-based physicians who may bill separately on a fee-for-service basis:

- i) A physician whose salary is not included in the hospital's cost report for direct patient care may bill separately on a fee-for-service basis.
- ii) A teaching physician who provides direct patient care may bill separately on a fee-for-service basis if the salary paid to the teaching physician by the hospital or other institution does not include a component for treatment services.
- iii) A resident may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she is permitted to and does bill private patients and collect and retain the payments received for those services.
- iv) A hospital-based specialist who is salaried, with the cost of his or her services included in the hospital reimbursement costs, may bill separately on a fee-for-service basis when, by the terms of his or her contract with the hospital, he or she may charge for professional services and do, in fact, bill private patients and collect and retain the payments received.
- v) A physician holding a nonteaching administrative or staff position in a hospital or medical school may bill separately on a fee-for-service basis to the extent that he or she maintains a private practice and bills private patients and collects and retains payments made.

- 2) Charges are to be submitted on a fee-for-service basis only when the physician seeking reimbursement has been personally involved in the services being provided. In the case of surgery, it means presence in the operating room, performing or supervising the major phases of the operation, with full and immediate

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## Section 148.240(g)(2) (continued)

responsibility for all actions performed as a part of the surgical treatment.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.250 Determination of Alternate Payment Rates to Certain Exempt  
EMERGENCY Hospitals

The exempt hospitals, defined in 89 Ill. Adm. Code 149.50(c)(1), (c)(2), (c)(4) and (c)(7), shall be reimbursed for inpatient hospital care provided to recipients by summing the following reimbursement calculations:

- a) allowable operating cost per diem;
- b) other costs (capital, and direct medical education, ~~and GRNA costs~~) reimbursed on a per diem basis;
- c) applicable DSH adjustments as described in Section 148.120, uncompensated care adjustments as described in Section 148.150, and outlier adjustments as described in Section 148.130; and
- d) applicable trauma center adjustments, as described in 89 Ill. Adm. Code 148.290(c), and rehabilitation hospital adjustments, as described in 89 Ill. Adm. Code 148.290(d), perinatal center adjustments, as described in 89 Ill. Adm. Code 148.290(e), obstetrical care adjustments, as described in 89 Ill. Adm. Code 148.290(f), targeted access payment adjustments, as described in 89 Ill. Adm. Code 148.290(g), and Medicaid high volume adjustments, as described in 89 Ill. Adm. Code 148.290(h) ~~148.290(e) through (g)~~.

(Source: Emergency amendment at 17 Ill. Reg. 17323 effective October 1, 1993, for a maximum of 150 days)

Section 148.260 Calculation and Definitions of Inpatient Per Diem Rates  
EMERGENCY

- a) Calculation for the first rate year period
- 1) Allowable operating cost per diem
- A) The allowable operating cost per diem for a hospital, described in Section 148.250 ~~148.250(a)~~, and for hospitals



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## Section 148.260(a)(1)(A) (continued)

or hospital units, described in Section 148.270(a) and (b), shall be calculated by taking the hospital's Medicaid inpatient operating costs for the base period as defined in Section 148.25(g)(1) divided by the hospital's Medicaid inpatient days.

~~B) In the event that an audited cost report is not available at the time rates are calculated, the unaudited report for the applicable period shall be used for the calculation of interim rates. Upon completion of the audit, the rates shall be recalcultated. Payments made under the interim rate shall be reconciled.~~

~~B)(9)~~ Operating cost base per diem rates for hospital inpatient care provided to Medicaid recipients beginning September 1, 1991, shall be calculated by:

- i) Calculating each individual hospital's cost per diem less capital and direct medical education costs for each of the two most recent years for which an audited Medicaid cost report exists, as described in subsection (a)(1)(A) above.
- ii) Each of the two costs per diem shall be trended forward to the midpoint of the rate period using the national hospital market basket price proxies (DRI).
- iii) These two trended operating costs per diem are then added together and divided by two to calculate the hospital's final operating cost per diem for the base period.

2) Capital Related Costs. The capital related cost per diem for a hospital, described in Section 148.250, and for hospitals or hospital units, described in Section 148.270(a) and (b) 148.270(b), shall be calculated by taking the hospital's total capital related costs for the base period as defined in Section 148.25(g)(1) divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national hospital market basket price proxies (DRI).

A) These two trended capital related cost per diems are then added together and divided by two to calculate the hospital's adjusted capital related cost per diem.

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## Section 148.260(a)(2) (continued)

B) The adjusted capital related cost per diem, as calculated in subsection (a)(2)(A) above, shall be rank ordered for all hospitals and capped at the 80th percentile.

C) Each hospital shall receive a per diem add-on for capital related costs which shall be equal to the amount calculated in subsection (a)(2)(A) or subsection (a)(2)(B) above, whichever is less.

3) Direct Medical Education Costs. The direct medical education cost per diem for a hospital, described in Section 148.250 148.250(a), and for hospitals or hospital units, described in Section 148.270(a) and (b), shall be calculated by taking total inpatient direct medical education costs for the base period as defined in Section 148.25(g)(1) divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national hospital market basket price proxies (DRI).

A) The two trended direct medical education cost per diems are then added together and divided by two to calculate the hospital's adjusted direct medical education cost per diem.

B) The adjusted direct medical education cost per diem, as calculated in subsection (a)(3)(A) above, shall be rank ordered for all hospitals reporting such costs and capped at the 80th percentile.

C) Each hospital shall receive a per diem add-on for direct medical education costs which shall be equal to the amount calculated in subsection (a)(3)(A) or subsection (a)(3)(B) above, whichever is less.

## 4) GRNA-Costs

A) Only hospitals that qualify for these payments under the Medicare Program as of September 1, 1992, shall be eligible for these payments.

B) The GRNA cost per diem shall be calculated by taking the hospital's total GRNA costs for the base period as defined in Section 148.25(g)(1) divided by the hospital's total inpatient days, trended forward to the midpoint of the rate period using the national hospital market basket price proxies (DRI).

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## Section 148.260(a)(4) (continued)

- 6) ~~Each qualifying hospital, as described in subsection (e)(4)(A) above, shall receive a per diem add-on for ORNA costs which shall be equal to the amount calculated under subsection (e)(4)(B) above.~~

b) Calculation of Direct Medical Education Costs for Subsequent Rate Periods

- 1) Effective with rate periods beginning on or after April 1, 1994, hospitals will be separated into two peer groups for the purpose of computing direct medical education cost per diems.
- 2) For the purpose of computing the direct medical education cost per diems, all hospitals described in Section 148.25(d) shall be defined as major teaching hospitals. All other hospitals reporting direct medical education costs shall be defined as other teaching hospitals.
- 3) Effective with rate periods beginning on or after April 1, 1994, the adjusted direct medical education cost per diem for all hospitals in each peer group shall be calculated by utilizing the direct medical education cost per diems for each hospital that were in effect on June 30, 1993, under the methodology described in subsections (a)(3) and (a)(3)(A) of this Section.
  - A) The adjusted direct medical education cost per diem, as described in subsection (b)(3) above, shall be rank ordered for all hospitals reporting such costs within each peer group, and capped at the 80th percentile.
  - C) Each hospital shall receive a per diem add-on for direct medical education costs which shall be equal to the amount calculated in subsection (b)(3) or subsection (b)(3)(A) above, whichever is less, subject to the inflation adjustment described in subsection (c) of this Section.

c) Calculation for Subsequent Subsequent Rate Periods

- 1) ~~For the rate period described in Section 148.25(g)(2)(A) periods beginning on or after October 1, 1992, the final rate per diem shall be determined by taking the operating, capital, and direct medical education end-ORNA trended rate cost per diems calculated under subsection (a) of this Section for the base period and updating those costs by the national hospital market basket price proxies (DRI) to the midpoint of the rate period described in Section 148.25(g)(2)(A).~~

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## Section 148.260(c) (continued)

- 2) For rate periods beginning on or after April 1, 1994, as described in Section 148.25(g)(2)(B), the final rate per diem for a hospital described in 89 Ill. Adm. Code 149.125(b) shall be determined by:
  - A) Adding the operating and capital trended rate cost per diems calculated under subsection (a) of this Section that were in effect on June 30, 1993;
  - B) Adding the direct medical education trended rate cost per diem calculated under subsection (c) of this Section to the resulting sum described in subsection (c)(2)(A) above; and
  - C) Updating the trended rate cost per diems described in subsections (c)(2)(A) and (c)(2)(B) above:
    - i) In the case of a hospital described in 89 Ill. Adm. Code 149.125(b), by the national hospital market basket price proxies (DRI) to the midpoint of the rate period described in Section 148.25(g)(2)(B); and
    - ii) In the case of a hospital described in 89 Ill. Adm. Code 149.50(c)(1), (c)(2), or (c)(4), or for a hospital unit described in 89 Ill. Adm. Code 149.50(d)(1) or (d)(2), to the midpoint of the current rate period described in Section 148.25(g)(2)(B) by utilizing the TEFRA price inflation factor.

d) e) Rebasing

For the rate period beginning after October 1, 1994, and every third rate period thereafter, the final rate per diem shall be calculated using:

- 1) The methodology set forth in subsection (a) of this Section for the calculation of operating and capital trended rate cost per diems using base period cost reports, as described in Section 148.25(g)(1); and the most-recently-available-audited Medicare/Medicaid cost-reports;
- 2) The methodology set forth in subsection (c) of this Section for the calculation of direct medical education trended rate cost per diems using base period cost reports, as described in Section 148.25(g)(1).

- d) ~~In the event that an audited cost report is not available at the time-~~



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## Section 148.260(d) (continued)

~~rates are calculated; the unaudited report for the applicable period shall be used for the calculation of interim rates. Upon completion of the audit, the rates shall be recalcultated. Payments made under the interim rate shall be receneited.~~

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.270  
EMERGENCY

Determination of Alternate Cost Per Diem Rates For All Hospitals; and Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals

## a) Calculation of Alternate Cost Per Diem Rates for All Hospitals

For all hospitals, regardless of the hospital's reimbursement methodology, the Department shall first calculate the hospital's alternate cost per diem rate, as calculated under Section 148.260, derived from the provider's base period cost reports, as described in Section 148.25(g)(1) two most recently audited inpatient Medicare cost reports and the latest Medicare cost reports on file with the Department.

## b) Calculation of Payment Rates for Certain Exempt Hospital Units

## 1) For admissions occurring within the rate period described in Section 148.25(g)(2)(A):

- A) In the case of a distinct part unit, as described in 89 Ill. Adm. Code 149.50(d), the Department shall divide the hospital's Medicaid charges per diem (identified on adjudicated paid claims submitted by the provider individual hospital during the most recently completed fiscal year for which complete data are available) related to the distinct part unit by the hospital's total Medicaid charge charges per diem for all paid claims for from the same time period, and multiply the result by the hospital's total Medicaid alternate payment rate. For rehabilitation center Medicaid alternate payment rate, A hospital distinct part unit's per diem shall be the lesser of the hospital's calculated per diem rate or the mean distinct part unit rate, plus three standard deviations, for psychiatric center the lower of the resulting figure or the hospital's Medicaid alternate payment rate shall be used as the hospital's distinct part unit's payment rate. In the case-

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## Section 148.270(b)(1)(A) (continued)

~~of a new distinct part unit for which the Department has insufficient paid claims history data available, the Department shall utilize the average payment rate calculated under this subsection (b) for like distinct part units.~~

- B) The resulting quotient, as calculated in subsection (b)(1)(A) above, shall be multiplied by the hospital's total operating cost per diem, as calculated in Section 148.260(a)(1)(B).
- C) The capital related cost per diem, as calculated in Section 148.260(a)(2), and the direct medical education cost per diem, as calculated in Section 148.260(a)(3), are then added to the resulting product calculated in subsection (b)(1)(B) above, subject to the inflation adjustment described in Section 148.260(c)(1).
- D) Subject to the provisions of subsection (b)(1)(E) and (b)(1)(F) below, the final distinct part unit payment rate shall be the lower of:
- i) The result of the calculations described in subsections (b)(1)(A) through (b)(1)(C) above; or
  - ii) The hospital's alternate cost per diem rate, as calculated in subsection (a) above.
- E) In no case shall the hospital's final distinct part unit payment rate be greater than three standard deviations above the mean distinct part unit payment rate.
- F) In the case of a new distinct part unit for which the Department has insufficient adjudicated claims history data available, the Department shall utilize the average payment rate calculated under this subsection (b)(1) for like distinct part units.
- 2) For admissions occurring within a rate period described in Section 148.25(g)(2)(B), the distinct part unit payment rate shall be the distinct part unit payment rate in effect on June 30, 1993, as calculated under subsection (b)(1) above, updated to the midpoint of the current rate period, using the TFRA price inflation factor.
- c) In the case of a new hospital (not previously owned or operated), a



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## Section 148.270(c) (continued)

hospital that has significantly changed its case-mix profile (e.g. a general acute care hospital changing its case-mix to reflect a predominance of long term care patients), or an out-of-state non cost-reporting hospital, reimbursement for inpatient services shall be as follows:

- 1) For general acute-care hospitals, reimbursement for inpatient services shall be at the average payment rate calculated under subsection (a) or (b) above, as applicable, for those hospitals reimbursed under 89 Ill. Adm. Code 149.
- 2) For psychiatric hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(1), reimbursement for inpatient psychiatric services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(1).
- 3) For rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), reimbursement for inpatient rehabilitation services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(2).
- 4) For long term stay hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(4), reimbursement for inpatient services shall be at the average rate calculated under Section 148.260 for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(4).
- 5) For children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3), reimbursement for inpatient services shall be at the average rate calculated under subsection (a) above for those hospitals defined in 89 Ill. Adm. Code 149.50(c)(3).

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements  
EMERGENCY

## a) Children's Hospitals

## 1) Initial Rate Period

- A) For purposes of reimbursement, all children's hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(3), are grouped into one peer group.

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## Section 148.280(a)(1) (continued)

- B) Each hospital's costs for the base period shall be derived from audited cost reports (see 42 CFR 447.260 and 447.265 (1982)) for hospital fiscal years ending during calendar year 1989.
- ~~G) In the event that an audited cost report is not available at the time rates are calculated, the unaudited report for the applicable period shall be used for the calculation of interim rates. Upon completion of the audit, the rates shall be recalcultated. Payments made under the interim rate shall be reconciled.~~
- ~~C) B) These base period costs shall be updated, trended forward, from the midpoint of each hospital's base period to the midpoint of the rate period for which rates are being set according to the methodology of the national total hospital market basket price proxies, (DRI).~~
- ~~D) E) The children's hospitals' base period trended rates shall be used as the basis for calculating the group's median trended rate. Each individual hospital's trended rate is then compared to the group's median trended rate. Hospitals whose individual trended rates are higher than the median rates shall receive as a final inpatient payment rate their trended rate minus half the difference between their trended rate and the group's median trended rate. Hospitals whose trended rates are lower than the group's median trended rate shall receive as its final inpatient payment rate their individual trended rate plus half the difference between their trended rate and the group's median trended rate.~~

## 2) Subsequent Rate Periods

For the rate period beginning on October 1, 1992, as described in Section 148.25(g)(1)(A), and for subsequent rate periods, as described in Section 148.25(g)(1)(B), the initial rate, as calculated under subsection (a)(1) above ~~reverted according to the results of completed cost report audits~~, shall be updated from the midpoint of the base cost reporting period to the midpoint of the rate period using the national hospital market basket price proxies (DRI).

## b) Hospitals Reimbursed Under Special Arrangements

Hospitals that, on August 31, 1991, had a contract with the

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## Section 148.280(b) (continued)

Department under the ICARE Program, pursuant to Section 3-4 of the Illinois Health Finance Reform Act, may elect to continue to be reimbursed at rates stated in such contracts for general and specialty care for services provided on or after September 1, 1991, subject to the limitations described in Sections 148.40(e) through 148.40(g).

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

Section 148.290 Adjustments and Reductions to Total Payments  
EMERGENCY

## a) Applicable Adjustments for DSH and Uncompensated Care

The criteria and methodology for making applicable DSH and uncompensated care adjustments to hospitals which are exempt from the DRG-PPS (see 89 Ill. Adm. Code 149) shall be in accordance with Section 148.120 or, if applicable, Section 148.150.

## b) Outlier Adjustments

Outlier adjustments to payment amounts for medically necessary inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with Section 148.130 for hospitals that are exempt from the DRG PPS (see 89 Ill. Adm. Code 149).

## c) Trauma Center Adjustments (TCA)

For inpatient admissions occurring on or after October 1, 1992, the Department shall make trauma center adjustments (TCA) to hospitals recognized, as of the first day of July preceding the TCA rate period, as Level I or Level II trauma centers by the Illinois Department of Public Health, or, if applicable, by the licensing agency in the State in which the hospital is located, in accordance with the provisions of subsections (c)(1) through (c)(5) below.

1) Level I Trauma Center Adjustment (TCA). Hospitals that, on the first day of July preceding the TCA rate period, meet the following criteria shall receive an adjustment of \$19,200.00 per Medicaid trauma admission in the TCA base period:

- A) The hospital must not be a county-owned hospital, as described in Section 148.25(b)(1)(A), or a state-owned

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## Section 148.290(c)(1)(A) (continued)

hospital, as described in Section 148.25(b)(1)(B). The hospital is reimbursed under Sections 148.250 through 148.300 or 89 Ill. Adm. Code 149; and

- B) The hospital must be recognized as a Level I trauma center by the Illinois Department of Public Health, or by the licensing agency in the State in which the hospital is located if the hospital is located within 50 miles of an Illinois border.

2) Level II Rural Trauma Center Adjustment (TCA). Illinois rural hospitals that meet the following criteria shall receive an adjustment of \$9,400.00 per Medicaid trauma admission in the TCA base period: on the first day of July preceding the rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health, or, if applicable, by the licensing agency in the State in which the hospital is located if the hospital is located within 50 miles of an Illinois border.

- A) With respect to the October 1, 1992, TCA rate period, on the first day of July preceding the TCA rate period, the hospital is located in a rural area and is recognized as a Level II trauma center by the Illinois Department of Public Health.

- B) With respect to the October 1, 1993, TCA rate period, on July 14, 1993, the hospital is designated as a rural hospital, as defined in Section 148.25(g)(3), and is recognized as a Level II trauma center by the Illinois Department of Public Health.

- C) With respect to TCA rate periods beginning on or after October 1, 1994, on the first day of July preceding the TCA rate period, the hospital is designated as a rural hospital, as defined in Section 148.25(g)(3), and is recognized as a Level II trauma center by the Illinois Department of Public Health.

3) Level II Urban Trauma Center Adjustment (TCA). Illinois urban hospitals, as described in Section 148.25(g)(4) for rate periods beginning on or after October 1, 1993, that, on the first day of July preceding the TCA rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of \$9,400.00 per Medicaid trauma admission in the TCA base period, provided that such hospital meets the criteria described in subsections (c)(3)(B) or (c)(3)(C) below:



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## Section 148.290(c)(3) (continued)

- A) The Medicaid trauma admission percentage, as described in subsection (c)(7)(C) below, shall be calculated for each hospital described in subsection (c)(3) above. ~~The trauma percentage shall be calculated by dividing each such hospital's Medicaid trauma admissions by the total Medicaid trauma admissions for each hospital.~~
- B) Each hospital described in subsection (c)(3) that meets the following additional criteria shall be eligible for the adjustment described in subsection (c)(3) above:
- i) The hospital is located in a county with no Level I trauma center;
  - ii) The hospital has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (c)(3)(A) above; and
  - iii) The hospital is located in a Health Manpower Shortage Area (HMSA) (42 CFR 5, 1989), as of the first day of July preceding the TCA rate period year.
- C) Each hospital described in subsection (c)(3) that meets the following additional criteria shall be eligible for the adjustment described in subsection (c)(3) above:
- i) The hospital is located in a county with no Level I trauma center; and
  - ii) The hospital has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (c)(3)(A) above.
- 4) County Trauma Center Adjustment (TCA). Illinois hospitals that, on the first day of July preceding the TCA rate period, are recognized as Level I or Level II trauma centers by the Illinois Department of Public Health, shall receive an adjustment that shall be calculated as follows:
- A) The available funds from the Trauma Center Fund for each quarter shall be divided by each eligible hospital's (as defined in subsection (c)(4) above) Medicaid trauma admissions in the same quarter of the TCA base period to determine the adjustment for the TCA rate ~~base~~ period.

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## Section 148.290(c)(4) (continued)

- B) The county trauma center adjustment payments shall not be treated as payments for hospital services under Title XIX of the Social Security Act for purposes of the calculation of the intergovernmental transfer provided for in Section 15-3(a) of the Public Aid Code.
- 5) Each eligible hospital's trauma center adjustment for the TCA rate period shall equal the sum of the amounts described in subsections (c)(1), (c)(2), (c)(3), and (c)(4)(A). The trauma center adjustments shall be paid to eligible hospitals on a quarterly basis.
- 6) Trauma Center Adjustment Limitations. Hospitals that qualify for trauma center adjustments under this subsection shall not be eligible for the total trauma center adjustment if, during the TCA rate period, the hospital is no longer recognized by the Illinois Department of Public Health, or the appropriate licensing agency, as a Level I trauma center as required for the adjustment described in subsection (c)(1) above, a Level II trauma center as required for the adjustment described in subsection (c)(2) or (c)(3) above, or as a Level I or a Level II trauma center as required for the adjustment described in subsection (c)(4) above. In these instances, the adjustments calculated under this subsection shall be pro-rated, as applicable, based upon the date that such recognition ceased.
- 7) Trauma Center Adjustment Definitions. The definitions of terms used with reference to calculation of the trauma center adjustments required by subsection (c) are as follows:
- A) "Available funds" means ~~that 97.5 percent of the funds available for distribution to the Department by the State Treasurer~~ which have been deposited into the Trauma Center Fund, which have been distributed to the Department by the State Treasurer, and which have been appropriated by the Illinois General Assembly.
- B) "Medicaid trauma ~~Trauma~~ admission" means those claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated ~~paid~~ by the Department through the last day of June preceding the TCA rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through



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## Section 148.290(c)(7)(B) (continued)

807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 938.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, Medicaid trauma admissions are only calculated for the claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated paid by the Department through the last day of June preceding the TCA rate period and contained within the Department's paid claims data base, with ICD-9-CM diagnoses within the above ranges for children under the age of 18.

C) "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions in a given twelve month, and the denominator of which is the total Medicaid trauma admissions for all level II urban trauma centers.

D) "TCA base period" means State Fiscal Year 1991, for TCA payments calculated for the October 1, 1992 TCA rate period, State Fiscal Year 1992 for TCA payments calculated for the October 1, 1993, TCA rate period, etc.

E) "TCA rate period" means, beginning October 1, 1992, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

F) "Trauma admission" means these claims billed as admissions which were subsequently paid by the Department and contained within the Department's paid claims data base with an ICD-9-CM principal diagnosis code of 800.0 through 800.99, 801.0 through 801.99, 803.0 through 803.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5,

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## Section 148.290(c)(7)(D) (continued)

861.0 through 861.32, 863.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, trauma admissions are only calculated for the claims billed as admissions, which were subsequently paid by the Department with ICD-9-CM diagnoses within the above ranges for children under the age of 18.

F) "Trauma Center Fund" means the fund created for the purpose of distributing a portion of monies received by county circuit clerks for certain violations of laws or ordinances regulating the movement of traffic to Level I and Level II trauma centers located in the State of Illinois. The Trauma Center Fund shall also consist of all federal matching funds received by the Department as a result of expenditures made by the Department as required by this subsection (c).

## d) Rehabilitation Hospital Adjustment (RHA)

Illinois hospitals that, on the first day of July preceding the RHA rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2) and are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the RHA rate period as follows:

1) Eligible hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), shall receive a rehabilitation hospital adjustment that consists of the following two components:

A) Treatment Component. All hospitals defined in 89 Ill. Adm. Code 149.50(c)(2), shall receive \$3,800.00 per Medicaid Level I admission in the RHA base period.

B) Facility Component. All hospitals defined in 89 Ill. Adm. Code 149.50(c)(2), shall receive a facility component that shall be based upon the number of Medicaid Level I admissions in the RHA base period as follows:

i) Hospitals with fewer than 100 Medicaid Level I admissions in the RHA base period shall receive a

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## Section 148.290(d)(1)(B)(i) (continued)

facility component of \$100,000.00 in the RHA rate period.

- ii) Hospitals with 100 or more Medicaid Level I admissions in the RHA base period shall receive a facility component of \$400,000.00 in the RHA rate period.

2) Each eligible hospital's rehabilitation hospital adjustment for the RHA rate period shall equal the sum of the amounts described in subsections (d)(1)(A) and (d)(1)(B) above. The rehabilitation hospital adjustments shall be paid to eligible hospitals on a quarterly basis.

3) Rehabilitation Hospital Adjustment Definitions. The definitions of terms used with reference to calculation of the rehabilitation hospital adjustments required by subsection (d) are as follows:

- A) "Medicaid Level I admissions" means those claims billed as Level I admissions, excluding admissions for normal newborns, which were subsequently adjudicated paid by the Department through the last day of June preceding the RHA rate period and contained within the Department's paid claims data base, with an occurrence code of 63 when applicable and an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89.

- B) "RHA base period" means State Fiscal Year 1991, for RHA payments calculated for the October 1, 1992 RHA rate period, State Fiscal Year 1992 for RHA payments calculated for the October 1, 1993, RHA rate period, etc.

- C) "RHA rate period" means, beginning October 1, 1992, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

## e) Perinatal Center Adjustments (PCA)

For inpatient admissions occurring on or after October 1, 1993, the

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## Section 148.290(e) (continued)

Department shall make perinatal center adjustments (PCA) to hospitals in accordance with the provisions of subsections (e)(1) through (e)(3) below.

- 1) Hospitals that meet the following criteria shall receive an adjustment of \$825.00 per Medicaid perinatal admission in the PCA rate period:

- A) The hospital is designated as a Level II perinatal center by the Illinois Department of Public Health, or, if applicable, by the licensing agency in the State in which the hospital is located, on the first day of July preceding the PCA rate period;

- B) The hospital is:

- i) With respect to the October 1, 1992, PCA rate period, located in a rural area on the first day of July preceding the PCA rate period;
- ii) With respect to the October 1, 1993, PCA rate period, designated as a rural hospital, as defined in Section 148.25(g)(3), on July 14, 1993;

- iii) With respect to PCA rate periods beginning on or after October 1, 1994, designated as a rural hospital, as defined in Section 148.25(g)(3), on the first day of July preceding the PCA rate period; and

- C) The hospital has a Medicaid perinatal percentage of 30 percent or above.

2) The perinatal center adjustments calculated under subsection (e)(1) above shall be paid to eligible hospitals on a quarterly basis.

3) Perinatal Center Adjustment Limitations. Hospitals that qualify for PCA adjustments under subsection (e)(1) above shall not be eligible for the total PCA adjustment if, during the PCA rate period the hospital is no longer recognized or designated by the Illinois Department of Public Health, or the appropriate licensing agency, as a Level II perinatal center, as required by subsection (e)(1)(A) above. In this instance, the annual adjustment described in subsection (e)(1) above shall be pro-rated, as applicable, based upon the date that the designation ceased.



## Section 148.290(e) (continued)

- 4) Perinatal Center Adjustment (PCA) Definitions. The definitions of terms used with reference to calculation of the perinatal center adjustments required by this subsection (e) are as follows:

A) "Medicaid perinatal admissions", as referred to in subsection (e)(4)(D) below, means those claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the PCA rate period and contained within the Department's paid claims data base, for infants less than 29 days of age at the time of the admission with an ICD-9-CM diagnosis code within the ranges of 760 through 779 and V30 through V39, and those claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the PCA rate period and contained within the Department's paid claims data base, related to pregnancy, childbirth and the puerperium with an ICD-9-CM principal diagnosis code within the range of 630 through 676.

B) "Medicaid perinatal percentage" means a fraction, the numerator of which is the hospital's Medicaid perinatal admissions, and the denominator of which is the hospital's total Medicaid admissions.

C) "PCA base period" means State Fiscal Year 1992, for PCA payments calculated for the October 1, 1993, PCA rate period, State Fiscal Year 1993 for PCA payments calculated for the October 1, 1994, PCA rate period, etc.

D) "PCA rate period" means, beginning October 1, 1993, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

E) "Total Medicaid admissions", as referred to in subsection (e)(4)(B) above, means the total claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the PCA rate period and contained within the Department's paid claims data base.

f) Obstetrical Care Adjustments (OCA)

For inpatient admissions occurring on or after October 1, 1993, the

## Section 148.290(f) (continued)

Department shall make obstetrical care adjustments (OCA) to hospitals in accordance with the provisions of subsection (f)(1) below.

- 1) Hospitals that meet the following criteria shall receive an adjustment of \$675.00 per Medicaid obstetrical admission in the OCA rate period:
  - A) The hospital offers nonemergency obstetric procedures to the general public on the first day of July preceding the OCA rate period;
  - B) The hospital is:
    - i) With respect to the October 1, 1992, OCA rate period, located in a rural area on the first day of July preceding the OCA rate period;
    - ii) With respect to the October 1, 1993, OCA rate period, designated as a rural hospital, as defined in Section 148.25(g)(3), on July 14, 1993;
    - iii) With respect to OCA rate periods beginning on or after October 1, 1994, designated as a rural hospital, as defined in Section 148.25(g)(3), on the first day of July preceding the OCA rate period; and
- C) The hospital has a Medicaid obstetrical percentage of 20 percent or above.
- 2) The obstetrical care adjustments calculated under subsection (f)(1) above shall be paid to eligible hospitals on a quarterly basis.
- 3) Obstetrical Care Adjustment Limitations. Hospitals that qualify for OCA adjustments under subsection (f)(1) above shall not be eligible for the total OCA adjustment if, during the OCA rate period the hospital discontinues the provision of non-emergency obstetrical care. In this instance, the annual adjustment described in subsection (f)(1) shall be pro-rated, as applicable, based upon the date that the hospital discontinued the provision of such non-emergency obstetrical care.
- 4) Obstetrical Care Adjustment (OCA) Definitions. The definitions of terms used with reference to calculation of the obstetrical care adjustments required by subsection (f) are as follows:



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## Section 148.290(f)(4) (continued)

A) "Medicaid obstetrical admissions", as referred to in subsection (f)(4)(B) below, means those claims billed as admissions, which were subsequently adjudicated by the Department through the last day of June preceding the OCA rate period and contained within the Department's paid claims data base, with an ICD-9-CM diagnosis code within the ranges of 650 and 669 which resulted in childbirth.

B) "Medicaid obstetrical percentage" means a fraction, the numerator of which is the hospital's Medicaid obstetrical admissions, and the denominator of which is the hospital's total Medicaid admissions.

C) "OCA base period" means State Fiscal Year 1992, for OCA payments calculated for the October 1, 1993, OCA rate period, State Fiscal Year 1993 for OCA payments calculated for the October 1, 1994, OCA rate period, etc.

D) "OCA rate period" means, beginning October 1, 1993, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

E) "Total Medicaid admissions", as referred to in subsection (f)(4)(B) above, means the total claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the OCA rate period and contained within the Department's paid claims data base.

## g) Targeted Access Payment (TAP) Adjustments

For inpatient admissions occurring on or after October 1, 1993, the Department shall make targeted access payment (TAP) adjustments to Illinois hospitals in accordance with the provisions of subsections (g)(1) through (g)(8) below.

1) Criteria. To qualify for TAP adjustments under this subsection (g), hospitals must meet the following criteria:

A) With respect to the TAP adjustments described in subsections (g)(2) through (g)(6), the hospitals must be eligible to receive the adjustment payments described in Section 148.120(g)(2) in the TAP rate period;

B) With respect to the TAP adjustments described in subsections (g)(2) through (g)(6), the hospital must not be

## NOTICE OF EMERGENCY AMENDMENTS

## Section 148.290(g)(1)(B) (continued)

a county-owned hospital, as described in Section 148.25(b)(1)(A), or a state-owned hospital, as described in Section 148.25(b)(1)(B);

C) With respect to the TAP adjustments described in subsections (g)(2), (g)(3) and (g)(5), and subject to subsection (g)(1)(E) below, the hospital must have 500 or fewer certificate of need beds if located in an urban area, as described in Section 148.25(g)(4). The number of certificate of need beds shall include total beds, excluding any used for substance abuse, long term care or swing beds, and shall be determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the TAP rate period; and

D) With respect to the TAP adjustments described in subsections (g)(2), (g)(3) and (g)(5), and subject to subsection (g)(1)(E) below, the hospital must have 300 or fewer certificate of need beds if located in a rural area, as described in Section 148.25(g)(3). The number of certificate of need beds shall include total beds, excluding any used for substance abuse, long term care or swing beds, and shall be determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid in the month immediately preceding the TAP rate period.

E) Notwithstanding the provisions of subsections (g)(1)(C) and (g)(1)(D), a children's hospital, as described in 148.120(a)(5), shall be eligible for the adjustments described in subsections (g)(2) and (g)(4). A children's hospital shall not be subject to or eligible for the adjustments described in subsections (g)(3), (g)(5) or (g)(6).

2) Medicaid Percentage Adjustment. Eligible hospitals, as described in subsection (g)(1) above, with a Medicaid inpatient utilization rate, as defined in Section 148.120(1)(5), of 35% or above shall receive an adjustment of \$70.00 per Medicaid

## Section 148.290(g)(2) (continued)

admission in the TAP base year and all other eligible hospitals shall receive an adjustment per Medicaid admission in the TAP base year which is calculated by dividing the individual hospital's Medicaid inpatient utilization rate by 35% and multiplying the result by \$70.00.

- 3) Obstetrical Care Adjustment. Eligible hospitals, as described in subsection (g)(1) above, that provide nonemergency obstetrical services to the general public shall receive a TAP obstetrical care adjustment which shall include:

- A) An adjustment of \$680.00 per Medicaid obstetrical admission in the TAP base period; and
- B) An additional adjustment, up to \$340.00 per Medicaid obstetrical admission in the TAP base period, based upon the hospital's Medicaid obstetrical admission percentage. The additional adjustment shall be calculated by giving the hospital providing the most Medicaid obstetrical admissions a \$340.00 adjustment per Medicaid obstetrical admission in the TAP base period and all other qualifying hospitals an adjustment equal to the individual hospital's Medicaid obstetrical admission percentage divided by the Medicaid obstetrical admission percentage of the hospital with the highest Medicaid obstetrical admission percentage, the result of which shall then be multiplied by \$340.00.

- 4) Children's Care Adjustment. Eligible hospitals, as described in subsections (g)(1)(A) through (g)(1)(B) above, that provide services to children (defined as under the age of 18 and which excludes obstetrical services) shall receive a TAP children's care adjustment.

- A) Eligible hospitals, as described in subsections (g)(1)(A), (g)(1)(B), and (g)(1)(E) above, shall receive a TAP children's care adjustment of up to \$600.00 per Medicaid children's admission in the TAP base period. The adjustment shall be calculated by dividing each eligible hospital's Medicaid children's admissions in the TAP base period by each eligible hospital's total Medicaid admissions in the TAP base period to arrive at the Medicaid children's admission percentage.

- B) The hospital with the highest percentage of Medicaid children's admissions shall receive an adjustment of \$600.00 for each Medicaid children's admission in the TAP

## Section 148.290(g)(4)(B) (continued)

base period and all other qualifying hospitals shall receive an adjustment equal to \$600.00 multiplied by the individual hospital's Medicaid children's admission percentage divided by the Medicaid children's admission percentage of the hospital with the highest Medicaid children's admission percentage.

- 5) Ambulatory Care Network Adjustment. Eligible hospitals, as described in subsection (g)(1) above, shall complete and submit the Ambulatory Care Network Questionnaire in order to be considered for the TAP ambulatory care network adjustment. The Ambulatory Care Network Questionnaire must be received within 30 calendar days after receipt of notification from the Department that the information must be submitted. Information required in this subsection (g) which is not received in compliance with this requirement shall not be considered for the determination of those hospitals qualified for ambulatory care network adjustments. In addition, such hospitals shall be required to enter into an agreement with the Department which describes in detail their involvements in ambulatory care, and includes commitments to maintain operations. Hospitals shall be required to notify the Department in advance of any action which would result in a reduction of 20 percent or more in the number of visits provided by hospital-operated primary care clinics or a reduction of 20 percent or more in the number of visits provided by primary care physicians. The TAP ambulatory care network adjustment shall consist of three possible individual adjustments as follows:

- A) Hospitals reporting the following number of physician office visits on the Ambulatory Care Network Questionnaire shall receive the following adjustments per total Medicaid admissions in the TAP base period:

Urban Threshold	Rural Threshold	Adjustment
0 - 9,999	0 - 4,999	\$ 00.00
10,000 - 40,000	5,000 - 10,000	\$125.00
40,001 - 100,000	10,001 - 50,000	\$145.00
100,001 and over	50,001 and over	\$165.00

- B) Hospitals qualifying for an adjustment under subsection (g)(5)(A) above shall receive an additional \$135.00 per total Medicaid admissions in the TAP base period if they have a formal linkage agreement with City of Chicago Partnerships in Health or Medicaid Partnerships.



## Section 148.290(g)(5) (continued)

- C) Hospitals qualifying for an adjustment under subsection (g)(5)(B) above shall receive an additional \$135.00 per total Medicaid admissions in the TAP base period if they have a formal linkage agreement with a Federally Qualified Health Center, a County Health Clinic, or a Rural Health Clinic.

- 6) TAP Index Adjustment. With the exception of adjustments calculated in subsections (g)(2) and (g)(4) for children's hospitals, as described in Section 148.120(a)(5), the sum of the adjustments calculated in subsections (g)(2) through (g)(5) shall be multiplied by the following applicable percentages, which are based upon each hospital's Medicaid inpatient utilization rate as defined in Section 148.120(1)(5):

- A) For those hospitals with a Medicaid inpatient utilization rate of 45 percent or above, the applicable percentage is 110 percent.
- B) For those hospitals with a Medicaid inpatient utilization rate of at least 25 percent, but less than 45 percent, the applicable percentage is 50 percent.
- C) For those hospitals with a Medicaid inpatient utilization rate of less than 25 percent, the applicable percentage is 25 percent.

- 7) The TAP adjustments calculated under subsections (g)(2) through (g)(6) above shall be paid to eligible hospitals on a quarterly basis.

## 8) Targeted Access Payment Adjustment Limitations.

Hospitals that qualify for TAP adjustments under subsection (g)(3) above shall not be eligible for the total TAP adjustment if, during the TAP rate period:

- A) The hospital discontinues the provision of non-emergency obstetrical care. In this instance, the annual adjustment described in subsections (g)(3) and (g)(6) shall be pro-rated, as applicable, based upon the date that the hospital discontinued the provision of such non-emergency obstetrical care.
- B) The hospital does not honor its commitment to maintain operations as required in subsection (g)(5) of this

## Section 148.290(g)(8)(B) (continued)

Section. In the event that there is a reduction of 20 percent or more in the number of visits provided by hospital-operated primary care clinics or a reduction of 20 percent or more in the number of visits provided by primary care physicians, the Department may, subject to approval by the Director, deem the hospital ineligible for the adjustments described in subsections (g)(5) and (g)(6) of this Section, either in total or in part.

- C) The hospital discontinues its formal linkage agreements required in subsections (g)(5)(B) and (j)(5)(C). In this instance, the annual adjustment described in subsections (g)(5) and (g)(6) shall be pro-rated based upon the date that the formal linkage agreement(s) was discontinued.

9) Targeted Access Payment (TAP) Adjustment Definitions. The definitions of terms used with reference to calculation of the targeted access payment adjustments required by subsection (g) are as follows:

- A) "Medicaid children's admission" means those claims billed as admissions of an individual under the 18 years of age, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the TAP rate period and contained within the Department's paid claims data base, but excludes those claims billed as admissions with an ICD-9-CM principal diagnosis code within the range of 650 and 669 (indicating an obstetrical admission).

- B) "Medicaid obstetrical admission" means those claims billed as admissions, which were subsequently adjudicated by the Department through the last day of June preceding the TAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code within the ranges of 650 and 669 which resulted in childbirth.

- C) "Medicaid obstetrical admission percentage" means a fraction, the numerator of which is the hospital's Medicaid obstetrical admissions, and the denominator of which is the Medicaid obstetrical admissions provided by all hospitals qualified for the TAP obstetrical care adjustment.

- D) "Medicaid perinatal percentage" means a fraction, the numerator of which is the hospital's Medicaid perinatal



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## Section 148.290(g)(9)(D) (continued)

admissions, and the denominator of which is the hospital's total Medicaid admissions.

E) "TAP base period" means State Fiscal Year 1992, for TAP payments calculated for the October 1, 1993, TAP rate period, State Fiscal Year 1993 for TAP payments calculated for the October 1, 1994, TAP rate period, etc.

F) "TAP rate period" means, beginning October 1, 1993, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

G) "Total Medicaid admissions", as referred to in subsection (g)(9)(D) above, means the total claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the TAP rate period and contained within the Department's paid claims data base.

## h) Medicaid High Volume Adjustments (MHVA)

For inpatient admissions occurring on or after October 1, 1993, the Department shall make Medicaid High Volume Adjustments (MHVA) to hospitals in accordance with the provisions of subsection (h)(1) through (h)(2) below.

1) Criteria. To qualify for MHVA adjustments under this subsection (h), hospitals must meet the following criteria:

A) With respect to the MHVA described in subsection (h)(2)(A) through (h)(2)(C), the hospitals must:

i) Be eligible to receive the adjustment payments described in Section 148.120 (g)(2) in the MHVA rate period; and

ii) Not be a county-owned hospital, as described in Section 148.25 (b)(1)(A), or a state-owned hospital, as described in Section 148.25 (b)(1)(B) in the MHVA rate period.

B) With respect to the MHVA adjustments described in subsection (h)(2)(D):

i) The hospital must not be eligible to receive the adjustment payments described in Section 148.120

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## Section 148.290(h)(1)(B)(i) (continued)

(g)(2) in the MHVA rate period:

ii) The total number of Medicaid inpatient days as defined in subsection (h)(4)(D) of this Section, provided by each Medicaid-participating Illinois hospital, must be at least one standard deviation above the mean number of Medicaid inpatient days, as defined in subsection (h)(4)(A) of this Section for the MHVA base fiscal year; and

iii) The hospital must meet the requirements of subsection (h)(1)(D) below when located in a geographic area covered by the managed care component of the Healthy Moms/Healthy Kids Program, as described in 89 Ill. Adm. Code 140.928(a)(1).

C) Source of Data. In making the determination described in subsection (h)(1)(B)(ii) above, the Department shall utilize:

i) The hospital's final audited cost report for the hospital's MHVA base fiscal year. Medicaid inpatient days, as defined in subsection (h)(4)(D) of this Section, which have been derived from final audited cost reports, are not subject to the Review Procedure described in Section 148.310, with the exception of errors in calculation.

ii) In the absence of a final audited cost report for the hospital's MHVA base fiscal year, the Department shall utilize the hospital's unaudited cost report for the hospital's MHVA base fiscal year. Due to the unaudited nature of this information, hospitals shall have the opportunity to submit a corrected cost report for the determination described in subsection (h)(1)(B)(ii) above. Submittal of a corrected cost report in support of subsection (h)(1)(B)(ii) above must be received no later than the first day of July preceding the MHVA rate period for which the hospital is requesting consideration of such corrected cost report for the determination of MHVA qualification. Corrected cost reports which are not received in compliance with these time limitations will not be considered for the determination of the hospital's Medicaid inpatient days as described in subsection (h)(4)(D) of this Section.

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## Section 148.290(h)(1)(C) (continued)

iii) Hospitals' Medicaid inpatient days, as defined in subsection (h)(4)(D) of this Section, which have been derived from unaudited cost reports, are not subject to the Review Procedure described in Section 148.310, with the exception of errors in calculation. Pursuant to subsection (h)(1)(C)(ii) above, hospitals shall have the opportunity to submit corrected cost report information prior to the Department's MHVA determination.

iv) In the event a subsequent final audited cost report reflects Medicaid inpatient days, as described in subsection (h)(4)(D) of this Section, which are lower than the Medicaid inpatient days derived from the unaudited cost report utilized for the MHVA determination, the Department shall recalculate the Medicaid inpatient days based upon the final audited cost report, and recoup any overpayments made.

D) Hospitals meeting the criteria described in subsection (h)(1)(B) above, that are located in a geographic area covered by the managed care component of the Healthy Moms/Healthy Kids Program, as described in 89 Ill. Adm. Code 140.928(a)(1), must meet the following requirements:

i) Hospitals designated as Level III perinatal centers by the Illinois Department of Public Health must enter into an agreement with the Department to participate in the Healthy Moms/Healthy Kids Program as a Certified Obstetrical Ambulatory Care Center (COBACC), as described in 89 Ill. Adm. Code 140.461(f)(1)(C), with a minimum Healthy Moms/Healthy Kids client assignment capacity commitment that includes a specified minimum number of pregnant women determined to be at medical high risk of abnormal delivery, and is otherwise mutually agreeable to both the Department and the hospital;

ii) Hospitals that are not designated as Level III perinatal centers by the Illinois Department of Public Health must enter into an agreement or agreements with the Department to participate in the Healthy Moms/Healthy Kids Program as a Certified Hospital Ambulatory Primary Care Center (CHAPCC), as described in 89 Ill. Adm. Code 140.461(f)(1)(A), and/or a Certified Hospital Organized Satellite Clinic (CHOSC).

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## Section 148.290(h)(1)(D)(ii) (continued)

as described in 89 Ill. Adm. Code 140.461(f)(1)(B), with a minimum total Healthy Moms/Healthy Kids client assignment capacity commitment that is otherwise mutually agreeable to both the Department and the hospital; and

iii) Hospitals must enter into the agreements described in subsections (h)(1)(D)(i) and (h)(1)(D)(ii) above by the first day of January in the MHVA rate period.

## 2) Calculation of Medicaid High Volume Adjustments

A) Hospitals meeting the criteria specified in subsection (h)(1)(A) above shall receive a MHVA payment adjustment of \$60.

B) For children's hospitals, as defined in Section 148.120 (a)(5), the payment adjustment calculated under subsection (h)(2)(A) above shall be multiplied by 2.0.

C) The amount calculated pursuant to subsections (h)(2)(A) and (h)(2)(B) above shall be adjusted on October 1, 1993, and annually thereafter, by a percentage equal to the lesser of:

i) The increase in the national hospital market basket price proxies (DRI) hospital cost index for the most recent twelve month period for which data are available; or

ii) The percentage increase in the statewide average hospital payment rate, as described in subsection (h)(4)(E) of this Section, over the previous year's statewide average hospital payment rate.

D) Hospitals meeting the criteria specified in subsections (h)(1)(B) and (h)(1)(D) above shall receive an add-on payment to their inpatient rate.

i) The distribution method for the add-on payment described in subsection (h)(2)(D) above is based upon a fund of \$12 million. All hospitals qualifying under subsections (h)(1)(B) and (h)(1)(D) above will receive a \$85 per day add-on to their current rate. The total cost of this adjustment is calculated by multiplying each hospital's most recent completed fiscal year Medicaid inpatient utilization data (adjusted based



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## Section 148.290(h)(2)(D)(i) (continued)

upon historical utilization and projected increases in utilization) by \$85. The total dollar amount of this calculation is then subtracted from the \$12 million fund.

ii) The remaining fund balance is then distributed to the hospitals that are located in a geographical area covered by the managed care component of the Healthy Moms/Healthy Kids Program as described in 89 Ill. Adm. Code 140.928(a)(1) in proportion to the percentage by which the hospital's Medicaid inpatient days, as described in subsection (h)(4)(D), exceeds one standard deviation above the State's mean Medicaid inpatient days, as described in subsection (h)(4)(A) of this Section. This is done by finding the ratio of each qualified hospital's percent Medicaid inpatient days to the State's mean plus one standard deviation percent Medicaid inpatient days value. These ratios are then summed and each qualified hospital's proportion of the total is calculated. These proportional values are then multiplied by each qualified hospital's most recent completed fiscal year Medicaid inpatient utilization data (adjusted based upon historical utilization and projected increases in utilization). These weighted values are summed and each qualified hospital's proportion of the summed weighted value is calculated. Each individual qualified hospital's proportional value is then multiplied against the \$12 million pool of money available after the \$85 per day base add-on has been subtracted.

iii) The total dollar amount calculated for each qualifying hospital under subsection (h)(2)(D)(ii) above (plus the initial \$85 per day add-on amount calculated for each qualifying hospital under subsection (h)(2)(D)(i) above) is then divided by the Medicaid inpatient utilization data (adjusted based upon historical utilization and projected increases in utilization) to arrive at a per day add-on value. Hospitals meeting the criteria described under subsection (h)(1)(B)(ii), that are not located in a geographical area covered by the managed care component of the Healthy Moms/Healthy Kids Program, as described in 89 Ill. Adm. Code 140.928(a)(1), will receive the minimum adjustment of \$85 per inpatient day. The adjustments calculated

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## Section 148.290(h)(2)(D)(iii) (continued)

under this subsection are subject to the limitations described in subsection (h)(3) below.

E) The adjustments calculated under subsections (h)(2)(A) through (h)(2)(D) of this section shall be paid on a per diem basis and shall be applied to each covered day of care provided.

## 3) Medicaid High Volume Adjustment Limitations.

A) Hospitals located in a geographic area covered by the managed care component of the Healthy Moms/Healthy Kids Program, as described in 89 Ill. Adm. Code 140.928(a)(1), that qualify for MHVA adjustments under subsection (h)(2)(D) above shall not be eligible for the MHVA adjustment if:

i) The hospital does not enter into a Healthy Moms/Healthy Kids agreement, as required in subsections (h)(1)(D)(i) and (h)(1)(D)(ii) above, by the first day of January of the MHVA rate period. In this instance, any adjustments described in subsection (h)(2)(D) that have been made by the Department shall be recouped and the hospital shall no longer be deemed eligible for the MHVA adjustment.

ii) The hospital does not honor its minimum Healthy Moms/Healthy Kids client assignment capacity commitment, as described in subsections (h)(1)(D)(i) and (h)(1)(D)(ii) of this Section. In this instance, the Department may, subject to approval by the Director, deem the hospital ineligible for the adjustments described in subsection (h)(2)(D) of this Section, either in total or in part.

B) Hospitals that qualify for MHVA adjustments under subsections (h)(2)(A) through (h)(2)(C) above shall not be eligible for such MHVA adjustments if they are no longer recognized or designated by the Department as a DSH hospital, as required by subsection (h)(1)(A)(i). In this instance, the annual adjustment described in subsection (h)(2) shall be pro-rated, as applicable, based upon the date that the hospital was deemed ineligible for DSH payments adjustments, under Section 148.120, by the Department.



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## Section 148.290(h)(3) (continued)

- C) In no instance shall the final aggregate MHVA payment adjustments calculated under subsection (h)(2)(D)(i) above for all hospitals exceed \$12 million. In the event that aggregate MHVA payment adjustments calculated under subsection (h)(2)(D)(i) exceed \$12 million, each hospital's MHVA payment adjustment calculated under subsection (h)(2)(D)(i) above shall be adjusted proportionately to ensure that the final aggregate MHVA payment adjustments calculated under subsection (h)(2)(D)(i) above for all hospitals does not exceed \$12 million.

- 4) Medicaid High Volume Adjustment Definitions. The definitions of terms used with reference to calculation of the MHVA adjustments required by subsection (h) are as follows:

- A) "Mean Medicaid inpatient days" means a fraction the numerator of which is the total number of inpatient days provided in a given 12 month period by all Medicaid participating Illinois hospitals to patients who, for such days, were eligible for Medicaid under Title XIX under the Federal Social Security Act (42 U.S.C. Sec. 1396a et seq.) and the denominator of which is the total number of all Medicaid participating Illinois hospitals. Title XIX specifically excludes days of care provided to Family and Children Assistance (formerly known as General Assistance) and Aid to the Medically Indigent (AMI) days but does include the types of days described in Section 148.120(c)(3). In this paragraph, the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

- B) "MHVA base fiscal year" means, for example, the hospital's fiscal year ending in 1991 for the October 1, 1993, MHVA determination year, the hospital's fiscal year ending in 1992 for the October 1, 1994, MHVA determination year, etc.

- C) "MHVA rate period" means, beginning October 1, 1993, the 12 month period beginning on October 1 of the year and ending September 30 of the following year.

- D) "Medicaid inpatient days" means the total number of inpatient days provided in a given 12 month period by each hospital to patients who, for such days, were eligible for

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## Section 148.290(h)(4)(D) (continued)

Medicaid under Title XIX under the Federal Social Security Act (42 U.S.C. Sec. 1396a et seq.), Title XIX specifically excludes days of care provided to Family and Children Assistance (formerly known as General Assistance) and Aid to the Medically Indigent (AMI) days but does include the types of days described in Section 148.120(c)(3). In this subsection (h)(4)(D), the term "inpatient day" includes each day in which an individual (including a newborn) is an inpatient in the hospital whether or not the individual is in a specialized ward and whether or not the individual remains in the hospital for lack of suitable placement elsewhere.

- E) "Statewide Average Hospital Payment Rate" means the hospital's alternative reimbursement rate, as defined in Section 148.270(a).

- i)2) Inpatient Payment Adjustments based upon BSH-Determination Reviews. Appeals based upon a hospital's ineligibility for the inpatient BSH payment adjustments described in this Section, or their payment adjustment amounts, in accordance with Section 148.310, which result in a change in a hospital's eligibility for inpatient BSH payment adjustments or a change in a hospital's payment adjustment amounts, shall not affect the inpatient payment adjustments BSH-status of any other hospital or the payment adjustment amount of any other hospital that has received notification from the Department of their eligibility for inpatient BSH payment adjustments based upon the requirements of this Section.

- j)e) Reductions to Total Payments

- 1) Copayments. Copayments are assessed under all medical programs administered by the Department except the Children and Family Assistance Program, formerly known as the General Assistance medical program, and shall be assessed in accordance with Section 148.190.

- 2) Third Party Payments. Hospitals shall determine that services are not covered, in whole or in part, under any program or under any other private group indemnification or insurance program, health maintenance organization, workers compensation or the tort liability of any third party. To the extent that such coverage is available, the Department's payment obligation shall be reduced.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)

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## Section 148.310 Review Procedure

EMERGENCY

## a) Inpatient Rate Reviews

- 1) Hospitals shall be notified of their inpatient rate for the rate year and shall have an opportunity to request a review of the rate for errors in calculation. Such a request must be received in writing by the Department within 30 days of the date of the Department's notice to the hospital of their rates. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.
- 2) Hospitals reimbursed in accordance with Sections 148.250 through 148.300 and 89 Ill. Adm. Code 149 with respect to per diem add-ons for capital, medical education and CRNA costs, may request that an adjustment be made to their base year costs to reflect significant changes in costs which have been mandated in order to meet State, federal or local health and safety standards, and which have occurred since the hospital's filing of the base year cost report. The allowable Medicare/Medicaid costs must be identified from the most recent audited cost report available. These costs must be significant, i.e., on a per unit basis, they must constitute one percent or more of the total allowable Medicaid/Medicare unit costs for the same time period. Appeals for base year cost adjustments must be received, in writing, by the Department within 30 days of after the date of the Department's notice to the hospital of their rates. Such request shall include a clear explanation of the cost change and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the hospital's request for review.

## 3) Primary Care Access Health Care Education Payment Reviews.

Hospitals reimbursed in accordance with 89 Ill. Adm. Code 149.140 with respect to per discharge add-ons for primary care access health care education payments, shall:

- A) Be notified of their per discharge add-on amount for the rate period and shall have an opportunity to request a review of the per discharge add-on amount for errors in calculation. Such a request must be received in writing by the Department within 30 days after the date of the Department's notice to the hospital of their per discharge add-on amount. Such request shall include a clear

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## Section 148.310(a)(3)(A) (continued)

explanation of the reason for the appeal and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days after receipt of the hospital's request for review.

- B) Be notified of any adjustments that shall be made to their per discharge add-on amount for the rate period as a result of the requirements of 89 Ill. Adm. Code 149.140, and shall have an opportunity to request a review of such adjustment determinations for errors in calculation. Such a request must be received in writing by the Department within 30 days of the date of the Department's notice to the hospital of adjustment amounts. Such a request shall include a clear explanation of reason for the appeal and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

## b) DSH Determination Reviews

- 1) Hospitals shall be notified of their qualification for DSH payment adjustments and shall have an opportunity to request a review of the DSH add-on for errors in calculation. Such a request must be received in writing by the Department within 30 days of after the date of the Department's notice to the hospital of its disproportionate share qualification and add-on calculations. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the hospital's request for review.
- 2) DSH determination reviews shall be limited to the following:
  - A) DSH Determination Criteria. The criteria for DSH determination shall be in accordance with Section 148.120. Review shall be limited to verification that the Department utilized criteria in accordance with State regulations.
  - B) Medicaid Inpatient Utilization Rates. Medicaid inpatient utilization rates shall be calculated pursuant to Section 1923 of the Social Security Act and as defined in Section 148.120(a)(4)(1)(5). Review shall be limited to verification that Medicaid inpatient utilization rates were calculated in accordance with federal and State regulations.



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## Section 148.310(b)(2) (continued)

- C) Low Income Utilization Rates. Low Income utilization rates shall be calculated in accordance with Section 1923 of the Social Security Act and Section 148.120(a)(2) and (d). Review shall be limited to verification that low income utilization rates were calculated in accordance with federal and State regulations.
- D) Federally Designated Health Manpower Shortage Areas (HMSAs). Illinois hospitals located in federally designated HMSAs shall be identified in accordance with 42 CFR 5, 1989, and Section 148.120(a)(3) based upon the methodologies utilized by, and the most current information available to the Department, from the Department of Health and Human Services as of July 1, 1991, June 30, 1992, -- ~~For the period July 1, 1992, through September 30, 1992, Illinois hospitals located in federally designated HMSAs shall be identified in accordance with 42 CFR 5, 1989, and Section 148.120(a) and 148.120(a)(3) based upon the methodologies utilized by, and the most current information available to the Department of Health and Human Services as of June 30, 1992.~~ Review shall be limited to hospitals in locations that have failed to obtain designation as federally designated HMSAs only when such a request for review is accompanied by documentation from the Department of Health and Human Services substantiating that the hospital was located in a federally designated HMSA as of July 1, 1991 or if applicable, as of June 30, 1992. -- ~~The provisions of this subsection shall no longer apply effective on or after October 1, 1993.~~
- E) Excess Beds. Excess bed information shall be determined in accordance with Public Act 86-268 (Code Section 148.120(a)(3) and 77 Ill. Adm. Code 1100) based upon the methodologies utilized by, and the most current information available to, the Illinois Health Facilities Planning Board as of July 1, 1991. Reviews shall be limited to requests accompanied by documentation from the Illinois Health Facilities Planning Board substantiating that the information supplied to and utilized by the Department was incorrect. -- ~~The provisions of this subsection shall no longer apply effective on or after October 1, 1993.~~
- F) Medicaid Obstetrical Inpatient Utilization Rates. Medicaid obstetrical inpatient utilization rates shall be calculated in accordance with Section 148.120(a)(4), (a)(9), (a)(10) and (a)(15)(1)(4), (1)(6) and (1)(7). Review shall be

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## Section 148.310(b)(2)(F) (continued)

- limited to verification that Medicaid obstetrical inpatient utilization rates were calculated in accordance with State regulations.
- G) TAP Adjustments
- i) Medicaid Percentage--Medicaid inpatient utilization rates shall be calculated in accordance with Section 148.120(a)(1) and (4)(2).--Review shall be limited to verification that Medicaid inpatient utilization rates were calculated in accordance with State regulations.
  - ii) Medicaid Obstetrical Admission Percentage--Medicaid obstetrical admission percentage shall be calculated in accordance with Section 148.120(j)(3) and (n)(1).--Review shall be limited to verification that Medicaid obstetrical admission percentages were calculated in accordance with State regulations.
  - iii) Medicaid Children's Admission Percentage--Medicaid children's admission percentage shall be calculated in accordance with Section 148.120(j)(4), (n)(3), and (n)(6).--Review shall be limited to verification that Medicaid children's admission percentages were calculated in accordance with State regulations.
  - iv) TAP Bed Limits--The TAP bed limits described in Section 148.120-(j)(2)(A)(i), (j)(2)(A)(ii), (j)(3)(A)(i), (j)(3)(A)(ii), (4)(5)(A)(i) and (4)(5)(A)(ii) shall be determined in accordance with such subsections, and review shall be limited to verification that these TAP bed limits were determined in accordance with such subsections.
- H) SGA Payment Adjustments
- i) Medicaid Perinatal Percentage--Medicaid perinatal percentage shall be calculated in accordance with Section 148.120(6)(A), (n)(12) and (n)(16).--Review shall be limited to verification that perinatal percentages were calculated in accordance with State regulations.
  - ii) Medicaid Obstetrical Percentage--Medicaid obstetrical percentage shall be calculated in accordance with Section 148.120(a)(6)(B), (n)(11) and (n)(16).--Review



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## Section 148.310(b)(2)(H)(ii) (continued)

~~shall be limited to verification that obstetrical percentages were calculated in accordance with State regulations.~~

## c) Outlier Adjustment Reviews

The Department shall make outlier adjustments to payment amounts in accordance with 89 Ill. Adm. Code 149.105 or Section 148.130, whichever is applicable. Hospitals shall be notified of the specific information which shall be utilized in the determination of those services qualified for an outlier adjustment and shall have an opportunity to request a review of such specific information for errors in calculation only. Such a request must be received in writing by the Department within 30 days of after the date of the Department's notice to the hospital of the specific information which shall be utilized in the determination of those services qualified for an outlier adjustment. Such request shall include a clear explanation of the error and documentation of the desired correction. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the hospital's request for review.

## d) Cost Report Reviews

## 1) Cost reports are required from:

- A) All enrolled hospitals within the State of Illinois;
- B) All out-of-state hospitals providing 100 inpatient days of service per hospital fiscal year, to persons covered by the Illinois Medical Assistance Program; and
- C) All hospitals not located in Illinois that elect to be reimbursed under the methodology described in 89 Ill. Adm. Code 149 (the DRG PPS).

- 2) The completed cost statement with a copy of the hospital's Medicare cost report and audited financial statement must be submitted annually within 90 days of the close of the hospital's fiscal year. A one-time 30-day extension may be requested. Such a request for an extension shall be in writing and shall be received by the Department's Office of Health Finance prior to the end of the 90-day filing period. The Office of Health Finance shall audit the information shown on the Hospital Statement of Reimbursable Cost and Support Schedules. The audit shall be made in accordance with generally accepted auditing

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## Section 148.310(c)(2) (continued)

standards and shall include tests of the accounting and statistical records and applicable auditing procedures. Hospitals shall be notified of the results of the final audited cost report which may contain adjustments and revisions which may have resulted from the audited Medicare Cost Report. Hospitals shall have the opportunity to request a review of the final audited cost report. Such a request must be received in writing by the Department within 45 days of after the date of the Department's notice to the hospital of the results of the finalized audit. Such request shall include all items of documentation and analysis which support the request for review. No additional data shall be accepted after the 45 day period. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the hospital's request for review.

## e) Uncompensated Care Adjustment Reviews

The Department shall make uncompensated care adjustments in accordance with Section 148.150. Hospitals shall have the right to appeal the uncompensated care rate calculation or their ineligibility for the uncompensated care rate adjustment if it is believed that a technical error has been made in the calculation. The appeal must be in writing and must be received within 30 days of after the date of the Department's notice to the hospital of its qualification for uncompensated care adjustments and payment adjustment amounts, or a letter of notification that the hospital does not qualify for the uncompensated care payment adjustment. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the hospital's request for review.

## f) Trauma Center Adjustment Reviews

- 1) The Department shall make trauma care adjustments in accordance with Section 148.290(c). Hospitals shall have the right to appeal the trauma center adjustment calculations if it is believed that a technical error has been made in the calculation. The appeal must be in writing and must be received within 30 days of the date of the Department's notice to the hospital of its qualification for uncompensated care adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days of after receipt of the request for review.

- 2) Illinois hospitals located in federally designated HMSAs shall be identified in accordance with 42 CFR 5.1989, based upon the

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## Section 148.310(f)(2) (continued)

methodologies utilized by, and the most current information available to the Department from the Department of Health and Human Services as of the first day of July preceding the trauma center adjustment rate period. Review shall be limited to hospitals in locations that have failed to obtain designation as federally designated HMSAs only when such a request for review is accompanied by documentation from the Department of Health and Human Services substantiating that the hospital was located in a federally designated HMSA as of the first day of July preceding the trauma center adjustment rate period.

- 3) Trauma level designation is obtained from the Illinois Department of Public Health as of the first day of July preceding the trauma center adjustment rate period. Review shall be limited to requests accompanied by documentation from the Illinois Department of Public Health, or the licensing agency in the state in which the hospital is located, substantiating that the information supplied to and utilized by the Department was incorrect.

- 4) Appeals under subsection (f) must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for trauma center adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days after receipt of the hospital's request for review.

## g) Rehabilitation Hospital Adjustment Reviews

The Department shall make rehabilitation hospital adjustments in accordance with Section 148.290(d). Hospitals shall have the right to appeal the rehabilitation hospital adjustment calculations if it is believed that a technical error has been made in the calculation. The appeal must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for rehabilitation hospital adjustments and payment adjustment amounts. The Department shall notify the hospital of the results of the review no later than 30 days after receipt of the hospital's request for review.

## h) Perinatal Center Adjustment Reviews.

- 1) Medicaid Perinatal Percentage. Medicaid perinatal percentage shall be calculated in accordance with Section 148.290(e). Review shall be limited to verification that perinatal percentages were calculated in accordance with State regulations.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

## Section 148.310(h) (continued)

- 2) Perinatal level designation is obtained from the Illinois Department of Public Health as of the first day of July preceding the perinatal center adjustment rate period. Review shall be limited to requests accompanied by documentation from the Illinois Department of Public Health, or the licensing agency in the state in which the hospital is located, substantiating that the information supplied to and utilized by the Department was incorrect.
- 3) Appeals under this subsection (h) must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for perinatal center adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days after receipt of the hospital's request for review.

## i) Obstetrical Care Adjustment Review.

Medicaid Obstetrical Percentage. Medicaid obstetrical percentage shall be calculated in accordance with Section 148.290(f). Review shall be limited to verification that Medicaid obstetrical percentages were calculated in accordance with State regulations. The appeal must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for obstetrical care adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days of receipt of the hospital's request for review.

## j) TAP Adjustments.

- 1) Medicaid Percentage. Medicaid inpatient utilization rates shall be calculated in accordance with Section 148.120(1)(5). Review shall be limited to verification that Medicaid inpatient utilization rates were calculated in accordance with State regulations.
- 2) Medicaid Obstetrical Admission Percentage. Medicaid obstetrical admission percentage shall be calculated in accordance with Section 148.290(g)(3). Review shall be limited to verification that Medicaid obstetrical admission percentages were calculated in accordance with State regulations.
- 3) Medicaid Children's Admission Percentage. Medicaid children's admission percentage shall be calculated in accordance with Section 148.290(g)(4). Review shall be limited to verification



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

## Section 148.310(j)(3) (continued)

that Medicaid children's admission percentages were calculated in accordance with State regulations.

- 4) TAP Bed Limits. The TAP bed limits described in Section 148.290 (g)(1)(C) and (g)(1)(D) shall be determined in accordance with such subsections, and review shall be limited to verification that these TAP bed limits were determined in accordance with such subsections.

- 5) Appeals under subsection (j) of this Section must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for targeted access adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days after receipt of the hospital's request for review.

## k) Medicaid High Volume Adjustment Reviews

The Department shall make Medicaid high volume adjustments in accordance with Section 148.290(h). Review shall be limited to verification that the Medicaid inpatient days were calculated in accordance with State regulations. The appeal must be in writing and must be received within 30 days after the date of the Department's notice to the hospital of its qualification for obstetrical care adjustments and payment amounts. The Department shall notify the hospital of the results of the review within 30 days after receipt of the hospital's request for review.

## l) Sole Community Hospital Designation Reviews

The Department shall make sole community hospital designations in accordance with 89 Ill. Adm. Code 149.125(b). Hospitals shall have the right to appeal the designation if it believes that a technical error has been made in the determination. The appeal must be made in writing no later than 30 days after notification of the designation. The Department shall notify the hospital of the results of the review no later than 30 days after receipt of the hospital's request for review.

## m) Geographic Designation Reviews

- 1) The Department shall make rural hospital designations in accordance with Section 148.25(g)(3) and 89 Ill. Adm. Code 140.80(1)(1). Hospitals have the right to appeal the designation if it is believed that a technical error has been made in the determination. The appeal must be made in writing

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

## Section 148.310(m)(1) (continued)

no later than 30 days after notification of the designation. The Department shall notify the hospital of the results of the review no later than 30 days after receipt of the hospital's request for review.

- 2) The Department shall make urban hospital designations in accordance with Section 148.25(g)(4). Hospitals have the right to appeal the designation if it is believed that a technical error has been made in the determination. The appeal must be made in writing no later than 30 days after notification of the designation. The Department shall notify the hospital of the results of the review no later than 30 days after receipt of the hospital's request for review.

(Source: Emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of the Part: Food Stamps

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Adopted Action:

121.60 Amendment  
121.61 Amendment  
121.63 Amendment  
121.64 Amendment

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: This peremptory rulemaking is required by 7CFR 273.9(a), (d)(1), (d)(5) and (d)(7).

5) Statutory Authority: Sections 12-4.4 through 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13)(305 ILCS 5/12-4.4 through 4.6 and 12-13)

6) Effective Date: October 1, 1993

7) Complete Description of the Subjects and Issues Involved: This rulemaking updates the Maximum Gross and Net Monthly Income Eligibility Standards, the Standard Deduction, the Maximum Excess Shelter Costs Deduction and the Maximum Coupon Allotments for the Food Stamp Program. These adjustments, which are effective October 1, 1993, take into account changes in the cost of living.

This rulemaking also explains the September allotment adjustments. For certain food stamp households, portions of their September fiscal month include the October calendar month. Because of the annual revisions of Maximum Gross and Net Income Standards, the Standard Deduction, the Maximum Excess Shelter Costs Deduction and the Maximum Coupon Allotments which occur on October 1st of every year, these households must have that portion of their September allotment which cover October 1 and later adjusted to include the new amounts.

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed in Agency's Principal Office: October 1, 1993

10) This rulemaking is in compliance with Section 5.03 of the Illinois Administrative Procedure Act. Yes

11) Are there any Amendments pending on this Part? Yes

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

Sections Proposed Action Illinois Register Citation

121.182 Amendment September 17, 1993 (17 Ill. Reg. \_\_\_\_)

12) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

13) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna

Address: Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Avenue East, Third Floor  
Springfield, Illinois 62762

Telephone: (217) 524-3215

The full text of the Peremptory Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
FOOD STAMPS

## SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Registration/Participation Requirements (Repealed)
121.24	Individuals Exempt From Work Registration Requirements (Repealed)
121.25	Failure to Comply (Repealed)
121.26	Period of Disqualification (Repealed)
121.27	Voluntary Job Quit (Repealed)
121.28	Good Cause for Voluntary Job Quit (Repealed)
121.29	Exemptions from Voluntary Quit Rule (Repealed)

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomer and Boarder
121.53	Income From Rental Property

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

## SUBPART D: ELIGIBILITY STANDARDS

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions From Monthly Income
121.64	Coupon Allotment

## SUBPART E: HOUSEHOLD CONCEPT

Section	
121.70	Persons Who May Be Included in the Assistance Unit
121.71	Living Arrangement
121.72	Nonhousehold Members
121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Households Receiving AFDC, SSI, Interim Assistance and/or GA - Categorical Eligibility

## SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section	
121.80	Fraud Disqualification (Renumbered)
121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting
121.91	Monthly Reporting
121.92	Restrospective Budgeting
121.93	Direct Mail Issuance of Food Stamp Coupons
121.94	Replacement of Food Stamp Coupons
121.95	Restoration of Lost Benefits
121.96	Uses For Food Coupons
121.97	Supplemental Payments
121.98	Food Stamp Simplified Application Demonstration Project (Repealed)
121.120	Recertification of Eligibility
121.130	Residents of Shelters for Battered Women and their Children
121.135	Incorporation By Reference

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## 121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

## SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section  
 121.150 Definition of Intentional Violations of the Program  
 121.151 Penalties for Intentional Violations of the Program  
 121.152 Notification To Applicant Households  
 121.153 Disqualification Upon Finding of Intentional Violation of the Program  
 121.154 Court Imposed Disqualification

## SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section  
 121.160 Persons Required to Participate  
 121.162 Participation and Cooperation Requirements  
 121.164 Orientation

121.166 Assessment and Employability Plan  
 121.170 Job Search Component  
 121.172 Basic Education Component  
 121.174 Job Readiness Component  
 121.176 Work Experience Component  
 121.178 Job Training Component  
 121.180 Grant Diversion Component  
 121.182 Earnfare Component

## EMERGENCY

121.184 Sanctions  
 121.186 Good Cause for Failure to Cooperate  
 121.188 Supportive Services  
 121.190 Conciliation and Fair Hearings  
 121.200 Types of Claims (Recodified)  
 121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)  
 121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)  
 121.203 Collecting Claim Against Households (Recodified)  
 121.204 Failure to Respond to Initial Demand Letter (Recodified)  
 121.205 Methods of Repayment of Food Stamp Claims (Recodified)  
 121.206 Determination of Monthly Allotment Reductions (Recodified)  
 121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)  
 121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 through 12-4.6 and 12-13) [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 185, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; amended at 9 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941,



effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART D: ELIGIBILITY STANDARDS

## Section 121.60 Net Monthly Income Eligibility Standards

a) Eligible households whose net monthly income does not exceed the maximum monthly income standards shall be assigned a coupon allotment based on the net monthly food stamp income.

b) The maximum net monthly income standards are:

Household Size	Amount
1. . . . .	\$ 568 <u>581</u>
2. . . . .	766 <u>786</u>
3. . . . .	965 <u>991</u>
4. . . . .	1,163 <u>1,196</u>
5. . . . .	1,361 <u>1,401</u>
6. . . . .	1,560 <u>1,606</u>
7. . . . .	1,758 <u>1,811</u>
8. . . . .	1,956 <u>2,016</u>
Each additional member . . . . .	+ 199 <u>+ 205</u>

Derived from Office of Management and Budget non-farm, income poverty guidelines.

(Source: Peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993)

## Section 121.61 Gross Monthly Income Eligibility Standards

a) Gross Monthly Income Eligibility Standards

1) The gross income standards of eligibility shall be 130 percent of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget (see 7 CFR 273.9(a)(1)(1990)). However, categorically eligible households and households containing a member who is elderly, blind or disabled will be exempt from this gross income check (see also 7 CFR 273.9(c) (1990)). To qualify for increased benefits a household must contain a member who meets one (1) of the following requirements:

- A) A member is 60 years of age or older. An individual is considered age 60 in the fiscal month he/she becomes 60.
- B) A member receives Supplemental Security Income (SSI) benefits under Title XVI of the Social Security Act, (this

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 121.61(a)(1)(B) (continued)

includes the household where the member is receiving SSI income pending a final decision from the Social Security Administration. This SSI income is being provided on a temporary or emergency basis), or

- C) A member receives Social Security disability or blindness benefits under Title II (RSDI) of the Social Security Act.
- D) A member receives State Supplemental Payment (SSP) due to blindness or disability. This does not include cases in PE status pending a determination of blindness or disability.
- E) A veteran with a service connected disability rated or paid as totally disabled by the Veterans Administration (VA).

F) A veteran considered by the VA to be in need of regular aid and attendance or permanently housebound.

G) A veteran's surviving spouse who is considered in need of aid and attendance or considered permanently housebound by the Veterans Administration or a veteran's surviving child who is considered permanently incapable of self-support by the Veterans Administration.

H) A veteran's surviving spouse or child entitled to compensation for a service connected death or pension benefits for a non-service connected death from the Veterans Administration if the spouse or child also has a disability considered permanent under Social Security requirements.

I) A member receives federal, state, or local government disability pension and is considered permanently disabled under Social Security requirements.

J) A member receives Railroad Retirement disability benefits.

K) A member receives an annuity payment from Railroad Retirement and is eligible for Medicare.

L) A member receives disability-related medical assistance benefits (Categories 92 and 93) under Title XIX (Medicaid) of the Social Security Act.

2) For those veterans, surviving spouses, or children mentioned in subsections (F) and (G) above, proof of receipt of VA disability

## DEPARTMENT OF PUBLIC AID

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## Section 121.61(a)(2) (continued)

benefits is sufficient verification of disability. For those veterans mentioned in subsection (E) above, a verified statement in writing from the VA that the individual is totally disabled must be provided. To verify disability for those individuals mentioned in subsection (H) above, the individual must provide a statement from the Social Security Administration or from a physician of the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400 - 1 et seq.), or a licensed or certified psychologist under the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1989, ch. 111, par. 5351 et seq.) that the individual suffers from one of the disabilities listed in the preamble to Section 221(i) of the Social Security Act (42 U.S.C. 421(i)) or if the disability is obvious, by observation of the caseworker (e.g., permanent loss of use of both hands).

b) Household Size	Gross Income
One Person	\$ 738 \$ 756
Two Persons	996 1,022
Three Persons	1,254 1,289
Four Persons	1,512 1,555
Five Persons	1,770 1,822
Six Persons	2,027 2,088
Seven Persons	2,285 2,355
Eight Persons	2,543 2,621
Nine Persons	2,801
Ten Persons	3,059
Each Additional Member	+ 258 + 267

(Source: Peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993)

## Section 121.63 Deductions From Monthly Income

The following deductions shall be allowed in the determination of the adjusted net monthly food stamp income:

- a) Earned income Deduction. Eighty percent of total gross earned income is considered. (See 89 Ill. Adm. Code 121.40 through 121.54 for a description of earned income.)
- b) Standard Deduction. One hundred and twenty-seven thirty-one dollars (\$127.00 \$131.00) per household per month.
- c) Dependent Care Deduction

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## Section 121.63(c) (continued)

- 1) Payments for the care of a child or other dependent when necessary for a household member to accept or continue employment or to seek employment in compliance with the job search criteria (contained in 89 Ill. Adm. Code 112.70 through 112.73) or to attend training or pursue education which is preparatory for employment.
  - 2) The amount of the deduction is to be determined by the actual costs for care and is not to exceed \$160.00 per month for each dependent household member.
- d) Shelter Costs Deduction
- 1) Shelter costs that exceed 50% of the household's total income after the allowable deductions in subsections (a), (b) and (c) have been made. The shelter deduction shall not exceed ~~\$200.00~~ \$207.00.
  - 2) If the household contains a member who is elderly or disabled as defined at 7 CFR 271.2 (1990), and Section 121.61 "Gross Monthly Income Eligibility Standards", there is no limit on the amount of excess shelter deduction.
  - 3) Households in which all members are homeless but that are not receiving free shelter throughout the month, are entitled to a one hundred and twenty-eight ~~thirty-seven~~ dollar (\$128.00 ~~\$137.00~~) per month homeless shelter costs deduction. Homeless households with shelter costs which exceed the homeless shelter costs deduction, are allowed to claim the higher shelter costs if these costs are verified. Homeless households which receive free housing and utilities throughout the month are not entitled to the homeless shelter costs deduction.

## 4) Shelter costs include only the following:

- A) Continuing charges for the shelter occupied by the household (rent, mortgage, and other charges leading to the ownership of the shelter, including interest on such charges).
- B) Property taxes, State and local assessments and insurance on the structure itself.
- C) Utility Costs

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## Section 121.63(d)(4)(C) (continued)

- i) Include the cost of heating and cooking fuel, air conditioning, electricity, water, sewerage, garbage and trash collection fees; basic service fee for one telephone (including tax on the basic fee) of \$27.00; and fees charged by the utility provider for initial installation. Utility deposits are not utility costs.
- ii) Those households which are billed for heating or air conditioning, or both, separately from their rent or mortgage may claim the standard utility allowance of \$195.00. Households living in rental housing who are billed on a regular basis by a landlord for heating and/or air conditioning costs may use the standard utility allowance if utility usage is determined through a meter or otherwise is verifiable or if the charge for heating and/or air conditioning is separate and identifiable. If the standard utility allowance is used, then no other utility costs may be claimed. If actual utility costs exceed the standard utility allowance, then actual, verified costs may be claimed, except that if a separately-billed phone expense is claimed only the basic telephone allowance of \$27.00 per month is allowed. The client that maintains the same residence may not switch between the standard utility allowance and actual utility costs for a period of twelve months from the time of initial certification and no more frequently than once every twelve (12) months thereafter.
- iii) However, during the heating or cooling season, a household that is billed less often than monthly for its heating and/or air conditioning costs but is otherwise eligible to use the standard utility allowance may continue to use the standard utility allowance between billing months.
- iv) Households in public housing or privately owned rental units which receive a bill for over-usage are not entitled to use the standard utility allowance. When households (as defined at 7 CFR 273.1(a)(1990)) live together, the standard utility allowance shall be divided equally among the households which contribute toward the utility costs whether or not each household participates in the program.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 121.63(d)(4)(C) (continued)

- v) Households whose heat and/or air conditioning expense is covered by indirect energy assistance payments (Illinois Home Energy Assistance Program (47 Ill. Adm. Code 100)) shall be entitled to the standard utility allowance (7 CFR 273.9 and 273.10(d)(6) (1990)). The provisions of subsection (ii) above, are applicable to households whose heating and/or air conditioning expense(s) are covered by indirect energy assistance payments.

- D) Those households which are not billed separately for either heat or air conditioning are not entitled to claim the standard utility allowance but may claim the actual utility amounts for which they are billed separately, subject to the \$27.00 per month limitation for telephone expense.

- 5) Shelter costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if, the household intends to return to the home; the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and the home is not leased or rented during the absence of the household.

- 6) Charges for repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

- e) Excess Medical Deductions. A deduction for excess medical expenses for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (1990) and Section 121.61 "Gross Monthly Income Eligibility Standards". The medical expenses incurred by the qualifying household member which are over \$35 will be deducted if the expenses will not be reimbursed by insurance or a third party.

(Source: Peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993)

## Section 121.64 Coupon Allotment

- a) The monthly coupon allotment amount is determined by subtracting 30% of the adjusted net monthly income from the maximum monthly allotment

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 121.64 (continued)

- b) MAXIMUM MONTHLY ALLOTMENT:

## Household Size

1. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$111	112
2. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$203	206
3. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$292	295
4. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$370	375
5. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$440	446
6. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$528	535
7. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$584	591
8. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	\$667	676
Each Add'l Member					+ \$ 83	85

- c) All one and two person households will receive a minimum monthly allotment of \$10.00

- d) September Allotment Adjustment

The annual revisions of maximum gross and net income standards, standard deduction, maximum excess shelter deduction and coupon allotments are effective October 1st of each year. Because the September fiscal month of certain households includes days which fall in the October calendar month, the portion of the September fiscal allotment covering October 1st and later must be increased to reflect the new standards.

(Source: Peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of Part: Medical Payment  
Code Citation: 89 Ill Adm Code 140  
Section Numbers: 140.23

Date Originally Published in the Illinois Register: 5/21/93  
17 Ill Reg 7183

At its meeting on September 14, 1993, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Department further negotiate issues raised by the Office of the Comptroller concerning payments made to medical providers.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

DEPARTMENT OF REHABILITATION SERVICES

Heading of Part: Case Transfers/Referrals  
Code Citation: 89 Ill Adm Code 708  
Section Numbers: 708.300

Date Originally Published in the Illinois Register: 7/2/93  
17 Ill Reg 9852

At its meeting on September 14, 1993, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that DORS modify the rulemaking entitled Case Transfers/Referrals (89 Ill Adm Code 708) to reflect the following: that the language clearly state that the transferred client has the right to use his/her own physician; that DORS defines the term "final" in the statement that "this physician shall be mutually agreeable to the client and DORS and his/her plan of care shall be final"; that the emergency rules of Part 200 are cited so that the rulemaking is clear that interim care is available; and that clearly detailed appeal procedures are provided.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

- 1) Rule Affected: Driving Under the Influence Programs (77 Ill Adm Code 2056)
- 2) Publication of Rulemaking Requiring Correction:

a) First Notice

March 27, 1992, 16 Ill Reg 4567

b) Adoption

November 1, 1992, 16 Ill Reg 15917
- 3) Reason Correction is Requested: The following corrections eliminate discrepancies between adopted rule text and agreements made between the agency and ICAR during the second notice period: correct unintentional typographical and grammatical errors; and replace existing Section 2056.515 and Appendix A text that had been altered by the Department at the time of adoption, but which had not been proposed as being altered during the first or second notice periods or by agreement with the Committee.
- 4) Effect on the Affected Public:

a) Public interest to be served: The affected public will have notice of the Department's proposal to revise Section 2056.515 and repeal Appendix A, with an opportunity for public comment and ICAR review and approval. The rulemaking will have more clarity.

b) Will any hardship be created for the public affected? No

c) Measures taken and to be taken by the agency to make the corrections known to the public: The Department will distribute copies of the corrected rulemaking upon request and inform affected groups of the corrected rulemaking.

5) Information and questions regarding this Notice of Expedited Correction shall be directed to:

Jane Mortell  
SOIC, 100 W. Randolph  
Suite 5-600  
Department of Alcoholism and Substance Abuse  
Chicago, Illinois 60601  
(312)814-6329

- 6) Effective Date of Correction Recommended by the Agency and Explanation for the Recommended Date: November 1, 1992, the original effective date of the Department's rulemaking.
- 7) The full text of the Sections, indicating the requested corrections, follows:



## DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

## REQUEST FOR EXPEDITED CORRECTION

TITLE 77: PUBLIC HEALTH  
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE  
SUBCHAPTER d: LICENSURE

## PART 2056

## DRIVING UNDER THE INFLUENCE PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section	Services/Program
2056.1	Definitions
2056.5	Programs Subject to Licensure
2056.10	Non-Transferability of License
2056.15	Proof of Licensure
2056.20	Change in Authorized Program Representative/Program
	Location
2056.25	Zoning and Physical Plant Requirements
2056.30	Emergency Services Plan
2056.35	Exceptions for Evaluation and Remedial Education Programs
2056.40	Compliance with Court Rules
2056.45	Program Service Termination/Records Disposal
2056.50	Operations Manual
2056.55	Referral Procedures
2056.60	Service Fees
2056.61	Indigent Services and the Drunk and Drugged Driving Prevention Fund
2056.65	Informed Consent (Renumbered)
2056.70	Non-Disclosure Privilege (Renumbered)
2056.75	Sanctions

## SUBPART B: LICENSE FEES/APPLICATIONS/RENEWALS

Section	
2056.200	Application Forms
2056.205	Renewal Application Forms
2056.210	Application Fees
2056.215	Period of Licensure
2056.220	Acceptance for Processing
2056.225	Verification of Application Information

## SUBPART C: EVALUATION PROGRAMS

Section	
2056.300	Purpose of Evaluation
2056.301	Informed Consent
2056.303	Non-Disclosure Privilege
2056.305	Evaluation Requirements
2056.310	Evaluation Classifications
2056.315	Evaluation Recommendations
2056.320	Qualifications and Training of Evaluators

## DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

## REQUEST FOR EXPEDITED CORRECTION

2056.325 Alcohol and Drug Evaluation Uniform Report  
2056.330 Evaluation Programmatic Requirements

## SUBPART D: REMEDIAL EDUCATION PROGRAMS

Section	
2056.400	Purpose of Remedial Education
2056.405	Remedial Educational Curriculum Requirements
2056.410	Remedial Education Course Requirements
2056.415	Qualifications and Training of Remedial Education Instructors
2056.420	Remedial Education Programmatic Requirements

## SUBPART E: EVALUATIONS AND REMEDIAL EDUCATION/RECORDS AND REPORTS

Section	
2056.500	Defendant Records (Evaluation)
2056.505	Defendant Records (Remedial Education)
2056.510	Program Records (Repealed)
2056.515	Personnel Records
2056.520	Records Security
2056.525	DUI Service Reporting System (DSRS)

SUBPART F: BEVERAGE ALCOHOL SELLERS AND SERVERS EDUCATION  
AND TRAINING (BASSET) PROGRAMS

Section	
2056.600	Purpose of BASSET
2056.601	License Applications
2056.603	Renewal Applications
2056.605	BASSET Curriculum Requirements
2056.607	License Fees
2056.610	BASSET Programmatic Requirements
2056.615	BASSET Recordkeeping/Reports (Repealed)
2056.620	Period of Licensure
2056.625	Acceptance for Processing
2056.630	Non-Transferability of License
2056.635	Change in BASSET Program Director or Services
2056.640	Exceptions for BASSET Programs
2056.645	Compliance with Local Government Ordinances
2056.650	BASSET Program Fee
2056.655	Sanctions
2056.660	BASSET Instructor Training

## SUBPART G: COMPLAINTS/INSPECTIONS/INVESTIGATIONS

Section	
2056.700	Complaints
2056.705	Inspections
2056.710	Investigations

## DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

## REQUEST FOR EXPEDITED CORRECTION

## APPENDIX A QUALIFICATION FOR DUI SERVICES AS AN INDIGENT (repeated)

**AUTHORITY:** Implementing and authorized by the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 1-100 et seq.) and by Section 2-101(1)(a) and (b) and (2)(a) and (b) of the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6352-1(1)(a) and (b) and (2)(a) and (b)).

**SOURCE:** Emergency rules adopted at 10 Ill. Reg. 521, effective January 1, 1986, for a maximum of 150 days; adopted at 10 Ill. Reg. 13207, effective July 28, 1986; Part repealed, new Part adopted at 12 Ill. Reg. 11138, effective June 21, 1988; amended at 13 Ill. Reg. 7274, effective April 28, 1989; amended at 16 Ill. Reg. 15917, effective November 1, 1992; expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992.

## SUBPART A: GENERAL PROVISIONS

## Section 2056.1 Definitions

"Aftercare Services Plan" means a written plan, developed by the treatment program, to support a defendant's progress after successful completion of treatment. It is developed to offer the defendant continued assistance and activities designed to support or enhance goals achieved in treatment. Plans should specify scheduled or unscheduled contact, including self-help group involvement, if necessary, and the plan should be designed so that such services should occur at specified intervals over a minimum of at least six (6) months.

"Alcohol and Drug Evaluation Report Summary" means the form required for purposes of granting judicial driving privileges, as defined in Section 6-206 of the Illinois Driver Licensing Law. (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-206).

"Alcohol and Drug Evaluation Uniform Report" means the form mandated by the Department for purposes of reporting the evaluation summary to the circuit court of venue or the Office of the Secretary of State.

"Authorized Program Representative" means the individual designated by the program to act on its behalf with regard to the provision of DUI services.

"BASSET" means Beverage Alcohol Sellers and Servers Education and Training program.

"BASSET Program Director" means the individual designated to act on behalf of the program with regard to the provision of BASSET services.

"Chemical Test(s)" means the blood alcohol concentration (BAC) and or

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drug concentration resulting from a breath, blood or urine test.

"Department" means the Department of Alcoholism and Substance Abuse.

"Director" means the Director of the Department of Alcoholism and Substance Abuse.

"Drunk and Drugged Driving Prevention Fund" means a special fund in the State Treasury created by Section 4-102 of the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6351-1 et seq.) out of which the Department may reimburse licensed DUI evaluation and remedial education programs that provide services to indigent DUI defendants pursuant to this Part, and which it may also use to enhance and support its regulatory inspections and investigations.

"DUI" means driving while under the influence of alcohol, other drugs or combination thereof as defined in Section 11-501 of the Illinois Vehicle Title & Registration Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 11-501) or a similar provision of a local ordinance.

"DUI defendant" means anyone arrested for driving under the influence of alcohol, other drug, or a combination thereof as defined in Section 11-501 of the Illinois Vehicle Title & Registration Law. (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 11-501) or a similar provision of a local ordinance

"DUI Service Reporting System (DSRS)" means the computer software that must be utilized by all licensed programs to summarize evaluation and remedial education service statistics semi-annually and to produce the "Alcohol and Drug Evaluation Uniform Report", the "DUI Remedial Education Certificate of Completion" and all other forms utilized to claim reimbursement from the Drunk and Drugged Driving Prevention Fund.

"Evaluation" means the professional evaluation to determine the nature and extent of the use of alcohol or other drugs as required by Section 5-4-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1991, ch. 38, par. 1005-4-1) and Section 6-206.1 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-206).

"Evaluator" means the person qualified in accordance with Section 2056.320.

"Indigency Fee" means 10% of the rate established by the Department for the evaluation or remedial education service.

"Indigent DUI defendant" means anyone who has proven inability to pay the full cost of the DUI evaluation or remedial education, as

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determined through criteria established by the program in conjunction with Department criteria specified in Section 2056.61 and whose uncollected costs for DUI services provided may be reimbursed to the program from the Drunk and Drugged Driving Prevention Fund.

"Inspection" means the act of conducting interviews, record reviews, and physical observations by the Department at a program to assess compliance with Federal and State rules and regulations.

"Instructor" means the person qualified in accordance with Section 2056.415.

"Level I - Minimal Risk" means the classification resulting from an alcohol and drug evaluation assigned to a DUI defendant who has no prior convictions or court ordered supervision for DUI, and no prior statutory summary suspensions and no prior reckless driving convictions reduced from a DUI; and a blood alcohol concentration (BAC) as a result of the arrest for DUI of less than .15, and no other symptoms of substance abuse or dependence.

"Level II - Moderate Risk" means the classification resulting from an alcohol and drug evaluation assigned to a DUI defendant who has no prior conviction or court ordered supervision for DUI, and no prior statutory summary suspension and no prior reckless driving conviction reduced from a DUI; and a blood alcohol concentration (BAC) of .15 to .19 or a refusal of chemical testing as a result of the arrest for DUI and no other symptoms of substance abuse or dependence.

"Level II - Significant Risk" means the classification resulting from an alcohol and drug evaluation assigned to a DUI defendant who has one prior conviction or a court ordered supervision for DUI, or one prior statutory summary suspension or one prior reckless driving conviction reduced from a DUI and/or a blood alcohol concentration (BAC) of .20 or higher as a result of the most current arrest for DUI and/or other symptoms of substance abuse.

"Level III - High Risk" means the classification resulting from an alcohol and drug evaluation assigned to a DUI defendant with symptoms of substance dependence and/or two prior convictions or court ordered supervisions for DUI or two prior statutory summary suspensions or two prior reckless driving convictions reduced from a DUI within the ten year period prior to the date of the most current (third) arrest.

"Program" means any individual, government or governmental subdivision or agency, corporation, partnership or other business entity acting individually or as a group which is licensed to operate one or more services.

"Risk" means the specific level (minimal, moderate, significant, or

## DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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high) assigned to a DUI defendant which describes the defendant's probability of continuing to operate a motor vehicle in an unsafe manner. This level assignment is based upon the following factors:

the nature and extent of the defendant's substance use; chemical testing results; prior dispositions for DUI, prior statutory summary suspension(s) or prior reckless driving conviction(s) reduced from a DUI; and other factors which include any other physical, emotional and/or social dysfunction arising from substance use or dependence.

"Server" shall refer to an individual who is responsible for the management of, control of, or service to the patrons of an establishment which sells or serves alcoholic beverages at retail.

"Service means: DUI evaluation; DUI remedial education; or BASSET.

"Substance Abuse" means a maladaptive pattern of psychoactive substance use indicated by at least one of the following: continued use despite knowledge of having a persistent or recurrent social, occupational, psychological or physical problem that is caused or exacerbated by use of the psychoactive substance;

recurrent use in situations in which use is physically hazardous (e.g., driving while intoxicated);<sup>2</sup>

Some some symptoms of the disturbance have persisted for at least one month, or have occurred repeatedly over a longer period of time and there have never been any symptoms of substance dependence (Diagnostic and Statistical Manual of Mental Disorders, DSM-III-R, The Press Syndicate of the University of Cambridge, The Pit Building, Trumpington Street, Cambridge, Massachusetts, CB2 1RP, 1987<sup>1</sup> with no subsequent revisions or amendments).

"Substance Dependence" means a pattern of use that meets at least three of the following criteria:

substance often taken in larger amounts or over a longer period than the person intended; persistent desire or one or more unsuccessful efforts to cut down or control substance use; a great deal of time spent in activities necessary to get the substance (e.g., theft), taking the substance (e.g., binge drinking), or recovering from its effects; frequent intoxication or withdrawal symptoms when expected to fulfill major role obligations at work, school, or home (e.g. does not go to work because hung over, goes to school or work "high," intoxicated while taking care of his or her children), or when substance use is physically hazardous (e.g., drives when intoxicated);



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important social, occupational, or recreational activities given up or reduced because of substance use; continued substance use despite knowledge of having a persistent or recurrent social, psychological, or physical problem that is caused or exacerbated by the use of the substance (e.g., keeps using alcohol despite family arguments about it, cocaine-induced depression, or having an ulcer made worse by drinking); marked tolerance: need for markedly increased amounts of the substance (i.e., at least a 50% increase) in order to achieve intoxication or desired effect, or markedly diminished effect with continued use of the same amount;

Note: the following items may not apply to cannabis, hallucinogens, or phencyclidine (PCP): characteristic withdrawal symptoms; substance often taken to relieve or avoid withdrawal symptoms;

Some some symptoms of the disturbance have persisted for at least one month, or have occurred repeatedly over a longer period of time (DSM-III-R, 1987, with no subsequent revisions or amendments).

"Treatment" means a continuum of activities or services provided to persons addicted to or abusing alcohol or other drugs. Services or activities include intake, assessment, treatment planning, individual, group and/or family counseling, and discharge planning. Treatment shall occur in a program licensed to provide services pursuant to the Illinois Alcoholism and Other Drug Dependency Act or to under the direction of individuals or programs who are otherwise licensed in Illinois to provide such services.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## Section 2056.5 Programs Subject to Licensure

a) The programs which provide services pursuant to Section 2-101(1)(a) and (b) and (2)(a) and (b) of the Illinois Alcoholism and Other Drug Dependency Act, (the Act), (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6352-1 (1)(a) and (b) and (2)(a) and (b)) are subject to licensure by the Department under this part:

- 1) Programs which conduct professional evaluations of DUI defendants to determine substance abuse or dependence at the corresponding risk level.
  - 2) Programs providing remedial education courses to DUI defendants.
  - 3) Programs designed to educate or train employees who sell or serve alcoholic beverages at retail (BASSET). However, only those rules specified in Subpart F apply to BASSET programming.
- b) In addition, separate licensure shall be required for each DUI Evaluation-or-Remedial-Education evaluation or remedial education service in each location.

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c) Programs shall post the days and hours of operation at each location where any DUI Evaluation-or-Remedial-Education evaluation or remedial education services are provided. This information shall be readily visible at all times to those seeking services.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## Section 2056.61 Indigent Services and the Drunk and Drugged Driving Prevention Fund

a) All programs shall provide alcohol and drug evaluation and remedial education services to DUI defendants determined to be indigent. Such services shall be provided on the same terms and conditions as required under this part, regardless of ability to pay. In order for a DUI defendant to be determined indigent, and thereby qualify for the indigency fee, the defendant must provide documentation relative to dependents and income (as verified by the most recently filed Federal or State Income Tax Return). If the defendant was claimed as a dependent on a tax return filed by someone other than the defendant (as is frequently the case with many full-time students) a copy of that return must also be provided by the defendant and considered as income. If there has been any change to the defendant's income or dependent status since the last filing or if the defendant has never filed a tax return, the defendant must provide a notarized document attesting to current status.

b) Once the defendant supplies proof of dependent and income status, the program must then complete the "Qualification for DUI Services as an Indigent" form for each type of service requested. A copy of the "Qualification for DUI Services as an Indigent" form and the Federal or State Income Tax Return and/or any other notarized documentation shall be maintained in the DUI defendant's record.

c) Based upon the information supplied by the defendant and documented on the "Qualification for DUI Services as an Indigent" Form and any other verifying documentation, the program shall determine if the defendant qualifies for the indigency fee.

d) In all cases the indigency fee shall be 10% of the rate established by the Department for the service.

e) Programs shall make all reasonable efforts to collect the indigency fee from the defendant prior to completion of the evaluation or remedial education service. However, if the fee is not collected from the indigent defendant by the completion of services, the evaluation or proof of remedial education documents must be released to the appropriate circuit court of venue in accordance with the provisions specified in 2056.330(b). The unassessed cost of the service can then be billed to the Department under the terms specified in subsections (f) through (k) below.

f) Any licensed DUI evaluation or remedial education program that is in compliance with this part can submit claims to the Department for

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reimbursement from the Drunk and Drugged Driving Prevention Fund for services provided to indigent DUI defendants. Such programs may be reimbursed from the Drunk and Drugged Driving Prevention Fund for the unassessed cost of providing services to DUI defendants who qualify for the indigency fee as specified in subsections (a) through (b), providing that the "Qualification for DUI Services as an Indigent" form is completed and the appropriate verifying documentation is obtained. Any program choosing not to submit claims to the Department for reimbursement from the Drunk and Drugged Driving Prevention Fund for services provided to DUI defendants who qualify for the indigency fee as specified in subsections (a) through (b) must still provide services to those defendants and can only assess them the indigency fee as specified in subsection (d).

g) Services shall be reimbursed as follows:

1) DUI evaluations shall be limited to one completed evaluation per defendant per DUI arrest. For billing purposes, the unit of service shall be a completed evaluation. The evaluation service shall be considered complete when the "Alcohol and Drug Evaluation Uniform Report" is completed by the program and is ready for the defendant's signature. If the defendant refuses to accept or sign the "Alcohol and Drug Evaluation Uniform Report", the service is still considered complete for billing purposes.

2) DUI remedial education courses shall be limited to one completed course per defendant per DUI arrest. For billing purposes the unit of service shall be one completed course. The remedial education course shall be considered complete when the defendant has successfully completed the course as specified in Section 2056.410. A program which offers a remedial education course in combination with the required hours of alcohol and drug treatment pursuant to Section 2056.410(a) shall not be eligible to receive reimbursement for such remedial education course from the Drunk and Drugged Driving Prevention Fund, if the program uses any public monies to provide any or all of said hours of alcohol and drug treatment.

h) The amount which the Department will reimburse programs from the Drunk and Drugged Driving Prevention Fund for each service shall be 90% of a cost-based rate established by the Department annually for the service, or the program's usual and customary fee for the service minus 10% of the Department's rate (the indigency fee), whichever is less.

i) Programs shall make all reasonable efforts to collect the indigency fee from indigent DUI defendants in accordance with the provisions specified in subsection (e). However, the Department's payment (pursuant to subsection (h)) plus 10% of the rate collected from the defendant shall be considered full payment and collection efforts shall cease unless a specific exception to this provision has been granted by the Department or if the provision specified in subsection

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(k)(3) below is applicable. Programs shall maintain in the defendant's record any and all records of attempted collection from indigent DUI defendants (or third parties) for whom payment has been sought, in--the-defendant's-record, and shall allow the Department to inspect such records.

j) The Department shall conduct post billing audits of defendant eligibility and financial status. Department audits may be conducted on a random basis to survey program compliance with this Part or in response to complaints. If such audit reveals that the program has billed for an ineligible defendant or a defendant has paid more than 10% of the Department's rate for the service (the indigency fee), the Department shall submit a demand for repayment showing why payment was improper. If repayment is not made within 15 days, the Department may begin procedures for sanctions under Section 3-105 of the Act unless the program has proven that the payment or collection procedures were proper.

The Department shall conduct audits of indigent DUI defendant records for whom reimbursement was sought to determine if the services claimed for reimbursement were provided. Department audits may be conducted on a random basis to survey program compliance with this Part or in response to complaints. If services were not provided, the Department shall submit a demand for repayment showing why payment was improper. If repayment is not made within 15 days, the Department may begin procedures for sanctions under Section 3-105 of the Act unless the program has proven that payment was proper.

k) Programs shall submit billings to the Department on the "Monthly Invoice Summary" and "Report of Evaluation/Remedial Education Service to Indigent DUI Defendant" forms. These forms will be produced by the DUI Service Reporting System (DSRS). The following process must be adhered to:

1) Billings must be submitted to the Department on a monthly basis within thirty (30) days after the end of the month in which the services were completed.

2) Services to the indigent DUI defendant must be complete prior to billing. Billing for partial or incomplete services is not allowed.

3) Reimbursement shall be subject to availability of money in the Drunk and Drugged Driving Prevention Fund. If it appears that billings will exceed revenues, the Department may, upon reasonable notice to participating programs, give priority to reimbursement for evaluation services. The Department may, if required, give thirty (30) days notice to participating programs that reimbursement will be discontinued. If this discontinuation occurs, programs must then only meet the requirements specified in 2056.60.

4) Should two bills be submitted for the same service for the same DUI defendant for the same episode, the first date of service alone shall be reimbursed.



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REQUEST FOR EXPEDITED CORRECTION

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

Section 2056.75 Sanctions

- a) The Department may issue a written warning, place on probation, suspend, revoke, refuse to issue, or refuse to renew licenses. In addition the Department may discontinue a program from participation in Drunk and Drugged Driving Prevention Fund reimbursement and may require repayment of money improperly paid out of the Fund. Opportunity for a hearing shall be granted in any instance other than when a written warning is issued. The Department may impose one or more of the sanctions listed above in any instance in which the program has:

- 1) failed to comply with any provision of the Act;
  - 2) failed to comply with any provision of this Part or other applicable Parts;
  - 3) falsified any information required to be submitted to the Department pursuant to this Part;
  - 4) permitted staff members, who are not qualified pursuant to Sections 2056.320 or 2056.415, to perform DUI services;
  - 5) failed to comply with any law or ordinance, after the program has been found guilty of the violation by the entity with subject matter jurisdiction over the alleged offense;
  - 6) failed to provide reports to any Illinois circuit court in a timely manner, as prescribed by the rules of the court of venue;
  - 7) been found to have been or be in violation of local zoning or fire code requirements;
  - 8) failed to comply with a Departmental request for information within 30 days;
  - 9) interfered with or obstructed a Department compliance inspection or Department investigation, i.e., failed to sign the inspection notice or failed to provide information requested by the investigator or inspector;
  - 10) collected for services covered by the DUI Fund from both the defendant or a third party and the Department beyond what is allowed in Section 2056.61;
  - 11) refused to repay money which has been found to have been paid improperly from the Drunk and Drugged Driving Prevention Fund after reasonable opportunity to repay has been given by the Department upon demand showing why payment was improper. Repayment shall not preclude the imposition of other appropriate sanctions;
  - 12) violated any contractual agreement with the Department.
- b) The sanction provisions as set forth in 77 Ill. Adm. Code 2058.905 are applicable to licensees under this Part.
- c) Hearings pursuant to this Section are governed by 77 Ill. Adm. Code 2058.900.
- d) In determining the type and severity of sanctions to be pursued by the

- Department, the Department shall employ the following standards:
- 1) degree with which licensee's conduct resulted in economic benefit to the licensee;
  - 2) relative severity of licensee's conduct (as determined by the severity of associated criminal offenses for the same prescribed conduct);
  - 3) licensee's past history of violations or compliance with the Act and provisions of this Part;
  - 4) lack of mental element (as defined in Sections 4-4 through 4-7 of the Criminal Code of 1961 (Ill Rev. Stat. 1991, ch. 38, pars. 4-4 through 4-7)) in the Act constituting the licensee's offense;
  - 5) degree with which DUI program's services for DUI program defendants was affected or jeopardized by licensee's conduct;
  - 6) any other relevant factor to be examined in mitigation or aggravation of the licensee's conduct with respect to the severity of sanction sought by the Department.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

SUBPART C: EVALUATION PROGRAMS

Section 2056.301 Informed Consent (Renumbered)

Each DUI defendant shall be given a copy of the Department's "Informed Consent" form and a copy of the Department's information brochure, explaining the alcohol and drug evaluation process, which must be read by the defendant prior to the provision of any evaluation service. The "Informed Consent" specifies that the program will release any information provided by the DUI defendant to the circuit court of venue or the Office of the Secretary of State and explains that the consent of the defendant is not required for this disclosure. The "Informed Consent" also requires the defendant to specify the name of the program where he/she underwent any previous evaluations as a result of the most current DUI offense and to provide a copy of such evaluations, if completed, to the current DUI evaluator. Each DUI defendant must sign the "Informed Consent" form indicating his/her understanding of the DUI evaluation process and disclosure requirements or initial the "Informed Consent" form indicating refusal to proceed with the evaluation. A copy of this form shall be placed in the DUI defendant's file. If the defendant refuses to sign, or refuses to present copies of other evaluations completed, notice of such refusal shall be sent to the circuit court of venue or the Office of the Secretary of State on the Department's "Notice of Incomplete/Refused Evaluation" form and the evaluation will be terminated.

(Source: Renumbered from 2056.65; expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)



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**Section 2056.303 Non-Disclosure Privilege (Renumbered)**

- a) Each DUI evaluation program shall establish written policies and procedures that protect the non-disclosure privilege of DUI defendants as specified in subsection (e).
- b) When all programmatic requirements have been met and the program deems the evaluation complete, the DUI evaluation program shall furnish a copy of the completed "Alcohol and Drug Evaluation Report Summary" form required by Section 6-206 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-206) for the purpose of granting judicial driving privileges to the circuit court of venue and any of its court officials, including the probation department, as specified by local court rules. The release of the evaluation form specified in Section 6-206.1 of the Illinois Driver Licensing Law must be in accordance with subsection (e).
- c) When all programmatic requirements have been met and the program deems the evaluation complete, the DUI evaluation program shall also furnish a copy of the completed "Alcohol and Drug Evaluation Uniform Report" directly to the circuit court of venue, unless another court repository is specified by local court rules. If requested, a copy shall also be given to the DUI defendant. When an evaluation is being conducted for the Office of the Secretary of State, a copy of the completed "Alcohol and Drug Evaluation Uniform Report" shall be given to the DUI defendant to take directly to the informal or formal driver's license hearing.
- d) Notification of incomplete or refused evaluations shall be made as specified in Section 2056.330(d).
- e) No evaluation information shall be released to any party other than the DUI defendant, the Illinois circuit court of venue or its court officials as specified by local court rules, the Office of the Secretary of State or to the Department without the written consent of the DUI defendant.
- f) Any release of information relative to alcohol and drug treatment received by the DUI defendant requires the written consent of the defendant pursuant to 42 CFR 2 (1989, with no later amendments or editions).

(Source: Renumbered from 2056.70; expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**Section 2056.310 Evaluation Classifications**

The information obtained during the evaluation shall be reviewed and summarized on the "Alcohol and Drug Evaluation Uniform Report" in accordance with provisions specified in Section 2056.325. The defendant shall be classified in one of the following levels: Level I - Minimal Risk; Level II - Moderate or Significant Risk; Level III - High Risk.

- a) Level I - Minimal Risk  
Defendants classified at this level must have:

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- 1) no prior conviction or court ordered supervisions for DUI and no prior statutory summary suspension(s) and no prior reckless driving conviction reduced from DUI; and?
  - 2) a blood alcohol concentration (BAC) of less than .15 as a result of the arrest for DUI; and?
  - 3) no other symptoms of substance abuse or dependence.
- b) Level II - Moderate or Significant Risk  
1) Moderate Risk  
Defendants classified at this level must have:
    - A) no prior conviction or court ordered supervision for DUI and no prior statutory summary suspension and no prior reckless driving conviction reduced from DUI; and?
    - B) a blood alcohol concentration (BAC) of .15 to .19 or a refusal of chemical testing as a result of the most current arrest for DUI; and?
    - C) no other symptoms of substance abuse or dependence.
  - 2) Significant Risk  
Defendants classified at this level must have:
    - A) one prior conviction or court ordered supervision for DUI or one prior statutory summary suspension or one prior reckless driving conviction reduced from DUI; and/or?
    - B) a blood alcohol concentration (BAC) of .20 or higher as a result of the most current arrest for DUI; and/or?
    - C) other symptoms of substance abuse.
  - c) Level III - High Risk  
Defendants classified at this level must have:
    - 1) symptoms of substance dependence; and/or?
    - 2) two prior convictions or court ordered supervisions for DUI or two prior statutory summary suspensions or two prior reckless driving convictions reduced from DUI within a ten year period from the date of the most current (third) arrest.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**Section 2056.315 Evaluation Recommendations**

After a classification has been determined, a recommendation for intervention shall be selected in accordance with the criteria specified below:

- a) Level I - Minimal Risk  
Completion of a minimum of ten hours of alcohol and drug remedial education.
- b) Level II - Moderate Risk
  - 1) Completion of a minimum of ten hours of remedial education and of twelve hours of substance abuse outpatient treatment (group or individual).
  - 2) Level II - Significant Risk  
Completion of a minimum of ten hours of alcohol and drug remedial education and of twenty hours of substance abuse outpatient

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- c) treatment (group or individual) followed by an aftercare plan.
- Level III - High Risk
- 1) For defendants with identified symptoms of dependence:
    - A) Completion of an intensive outpatient or outpatient substance abuse treatment program (minimum of 75 hours) followed by an aftercare plan; or
    - B) Completion of a residential or inpatient substance abuse treatment program followed by an aftercare plan.
  - 2) For defendants without identified symptoms of dependence, but with two prior convictions or court ordered supervisions for DUI:
    - A) Completion of an outpatient program (minimum of 75 hours) followed by an aftercare plan. The program must include further assessment and counseling designed to identify and change the disorder causing the high risk behavior. This assessment and counseling can include, but is not limited to, referrals for psychological testing, physical examinations and other appropriate mental health services designed to identify and reduce or eliminate the incidence of the high risk behavior.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## Section 2056.320 Qualifications and Training of Evaluators

- a) Staff members shall have no record of court supervision or conviction for DUI for at least a two year period prior to employment or have been convicted of bribery, perjury, or official misconduct pursuant to Section 33-3 of the Criminal Code of 1961 for a ten year period prior to employment.
- b) Individuals who conduct alcohol and drug evaluations pursuant to Section 2-101(1)(a) and (b) and (2)(a) and (b) of the Act, shall meet at least one of the following criteria:
  - 1) three years of directly supervised work experience in alcohol/drug evaluation or treatment for a minimum of 30 hours per week, or
  - 2) graduation from an accredited four year college or university with a degree in social or health sciences and one year of directly supervised work experience in alcohol/drug evaluation or treatment for a minimum of 30 hours per week, or
  - 3) graduation from an accredited university with a postgraduate degree in social or in health science, and licensure by the Illinois Department of Professional Regulation as a physician pursuant to the Medical Practice Act of 1991 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.), a social worker pursuant to the Clinical Social Work and Social Work Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 6301 et seq.), or a psychologist pursuant to the Clinical Psychologist Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 5301 et seq.).
- c) All qualified evaluators must attend one complete Basic DUI

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Orientation Training Session offered or approved by the Department during the first ~~six--months~~ year of employment or as otherwise required by the Department as a result of changes in the rules or for violations of the rules. Additionally, all qualified evaluators must complete the Department's "DUI Self-Study Manual" during the first month of employment and attend an additional 12 hours of substance abuse training annually. Documentation of this training shall be maintained in the program's personnel records.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## SUBPART D: REMEDIAL EDUCATION PROGRAMS

## Section 2056.410 Remedial Education Course Requirements

- a) Remedial education courses shall include a minimum of ten hours of classroom instruction, divided into at least four sessions held on different days. No session shall exceed three hours in length. However, the ten hours of remedial education required for defendants classified as Level II - Moderate or Significant Risk may be offered as a combined program with the required hours of alcohol and drug treatment. Programs offering this type of service must be at least 22 hours in length for Moderate Risk and 30 hours in length for Significant Risk and meet the treatment licensure requirements specified in Section 2056.55(a). Programs must also provide a specific curriculum for this type of programming, which incorporates the requirements in this Section and 2056.405, to the Department at the time of application for licensure, and if already licensed, prior to the provision of services.
- b) Remedial education programs shall design a pre test and post test and administer it to participants to assess the program's effectiveness and any increase in knowledge in the curriculum areas. The pre test and post test must be submitted for review by the Department at the time of application for licensure or license renewal.
- c) In order to successfully complete remedial education, defendants shall:
  - 1) attend each session in its entirety and in proper sequence;
  - 2) achieve a score on the post test of at least 75%.
 Upon successful completion of the remedial education course, the program must issue to each defendant a "DUI Remedial Education Certificate of Completion", which is produced by the DUI Service Reporting System (DSRS) ~~7-to-each-defendant~~. The DSRS must be utilized to produce the "DUI Remedial Education Certificate of Completion", all sections of this form must be completed and it must be signed by the DUI Remedial Education Instructor.
- d) Audio-visual presentations shall not comprise more than 25% of the total class time.
- e) Class size shall be in conformance with local fire and safety codes,

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and in no event shall more than 24 students be permitted in any one class session.

f) Remedial education programs shall develop and provide to each DUI defendant, upon enrollment, written procedures governing the following:

- 1) criteria for admission into the program;
- 2) criteria for disqualification from the program;
- 3) responsibilities of DUI defendants;
- 4) sobriety and drug-free requirements during class;
- 5) course outline, content, costs and class schedules;
- 6) written notification to the evaluation program when it is discovered that the defendant needs treatment or a modification to the current treatment recommendation.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**Section 2056.415 Qualifications and Training of Remedial Education Instructors**

a) Staff members shall have no record of court supervision or conviction for DUI for at least a two year period prior to employment or have been convicted of bribery, perjury, or official misconduct pursuant to Section 33-3 of the Criminal Code of 1961 for a ten year period prior to employment.

b) Each instructor shall:

- 1) Possess a baccalaureate degree in education or certification as a teacher by the Illinois State Board of Education; or
- 2) Have been employed for a period of at least one year in the provision of substance abuse treatment or education services for a minimum of thirty (30) hours per week.

c) All qualified instructors must attend one Basic DUI Orientation Training Session offered or approved by the Department during the first six months of employment or as otherwise required by the Department as a result of changes in the rules or for violations of the rules. Additionally, all qualified instructors must complete the Department's DUI Self-Study Manual during the first month of employment and obtain an additional twelve hours of substance abuse training annually. Documentation of this training shall be maintained in the program's personnel records.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**SUBPART E: EVALUATIONS AND REMEDIAL EDUCATION/RECORDS AND REPORTS****Section 2056.515 Personnel Records**

The following documents shall be contained in each personnel record and be maintained for a minimum of five years and shall be available for inspection by

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the Department:

- a) approved--"Evaluation/Instructor-Qualification"-form; a copy of the "Schedule K - Staff Member Information and Qualifications" (IL-409-0171);
- b) a copy of the "Schedule L - Authorization for Verification" (IL-409-0168); application-for-employment;
- c) a copy of the "Affidavit of Compliance" (IL-409-0180); documentation of--education-and-experience--i-e--a-resume;
- d) a copy of the application for employment; documentation-of--employment history--i-e--a-resume;
- e) documentation of education and experience, i.e., a resume; training required---under---Sections---2056.336(c)---and---2056.415(d)---i-e--certificates-of-training;
- f) documentation of employment history, i.e., a resume;
- g) documentation of training required under Sections 2056.320(c) and 2056.415(d), i.e., certificates of training.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**SUBPART F: BEVERAGE ALCOHOL SELLERS AND SERVERS EDUCATION AND TRAINING (BASSET) PROGRAMS****Section 2056.600 Purpose of BASSET**

The purpose of a BASSET program is:

- a) to provide information to sellers and servers of alcoholic beverages about the effects of alcohol and drug use and abuse; and
- b) to provide the necessary skill development techniques to identify and/or intervene with patron use problems, thereby reducing the incidence of patron misuse.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

**Section 2056.610 BASSET Programmatic Requirements**

a) The BASSET program shall include a minimum of six (6) hours of classroom instruction. This instruction may be offered in one entire session or scheduled in increments over a specified period of time.

b) At the time of application for licensure, the program must specify how the required curriculum hours will be scheduled.

c) BASSET programs shall design and administer a pre-test and post test to participants to assess the program's effectiveness and any increase in knowledge in the curriculum areas. The pre-test and post test must be submitted for review by the Department at the time of application for licensure or prior to the provision of services.

d) BASSET programs shall issue a certificate to each participant that it determines has successfully completed the course.



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- e) BASSET programs shall submit at the time of licensing a listing of all BASSETT instructors and, after licensure, notify the Department of any change in instructors and the completion date of training (as specified in Section 2056.660) for each instructor.
- f) BASSETT programs shall compile and submit, on a format designed by the Department, a semi-annual report containing the following information:
- 1) The number of participants trained during the reporting period.
  - 2) The number of BASSETT courses scheduled and completed during the reporting period and the location of each course.
  - 3) The total fees charged for BASSETT training per course during the reporting period.
  - 4) The number of businesses represented by participants completing BASSETT programs and the respective counties of those businesses.
- g) BASSETT programs shall maintain for a minimum of one year a record of all participants who successfully complete BASSETT training for--a minimum-of-one-year.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## Section 2056.625 Acceptance for Processing

- a) Application for licensure, or renewal of licensure, is **are** deemed received by the Department on the postmarked date.
- b) Incomplete applications shall be returned to the applicant with a statement which lists the information which must be included. To avoid imposition of a new licensure fee, the application shall be resubmitted within 90 days after the date of the statement.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

## Section 2056.655 Sanctions

- a) The Department may issue a written warning, place on probation, suspend, revoke, refuse to issue, or refuse to renew licenses. Opportunity for a hearing shall be granted in any instance other than when a written warning is issued. The Department may impose one or more of the sanctions listed above in any instance in which the program has:
- 1) failed to comply with any provisions of the Act;
  - 2) failed to comply with any provision of this Part or other applicable Parts;
  - 3) falsified any information required to be submitted to the Department pursuant to this Part;
  - 4) failed to comply with any law or ordinance, after the program has been found guilty of the violation by the entity with subject matter jurisdiction over the alleged offense;
  - 5) failed to comply with a Departmental request for information

## DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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- b) Hearings pursuant to this Section are governed by 77 Ill. Adm. Code 2058.900.
- c) In determining the type and severity of sanctions to be pursued by the Department, the Department shall employ the following standards:
- 1) degree with to which licensee's conduct misrepresented the purpose and/or benefit of BASSETT programming resulting in economic benefit to the licensee;
  - 2) relative severity of licensee's conduct;
  - 3) licensee's past history of violations or compliance with the Act and provisions of this Part;
  - 4) any other relevant factor to be examined in mitigation or aggravation of the licensee's conduct with respect to the severity of sanction sought by the Department.

(Source: Expedited correction at 17 Ill. Reg. \_\_\_\_\_, effective November 1, 1992)

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DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

REQUEST FOR EXPEDITED CORRECTION

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SUBPART G: COMPLAINTS/INSPECTIONS/INVESTIGATIONS

Section 2056.APPENDIX A Qualification for DUI Services as an indigent

STATE OF ILLINOIS

DEPARTMENT OF

ALCOHOLISM AND

SUBSTANCE ABUSE

DUI UNIT

222 South College

2nd Floor

Springfield, Illinois 62704

(217) 782-0685

WILLIAM T. ATKINS - DIRECTOR

QUALIFICATION FOR DUI SERVICES AS AN INDIGENT

NAME - LAST		FIRST	INITIAL
STREET ADDRESS		CITY	STATE CODE
PHONE NO. ( )		DRIVERS LICENSE NO.	
DUI PROGRAM NAME		DUI LICENSE NO.	

Present Employer	Occupation	Salary
Most Recent Previous Employer	Occupation	Salary
Spouse Employer	Occupation	Salary

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Other Income, Investments, Stocks, and Bonds:

Own Home? Yes No

Assets:

Total Household Income:

TOTAL HOUSEHOLD ANNUAL INCOME IN DOLLARS		HOUSEHOLD SIZE				
		1	2	3	4	5 or more
\$ 0 to \$ 8,000						
8,001 to 9,250						
9,251 to 10,500						
10,501 to 11,750						
11,751 to 13,000						
13,000 to UP						

If check is above heavy line, defendant meets financial eligibility for Indigent services.

SPECIFY TYPE OF SERVICE: EVALUATION		REMEDIAL EDUCATION
Standard Fee	Determined Fee	Payment Schedule

Indigent DUI Applicant

Public Defender (Cook County Only)

Date Date

(Source: Expedited correction at 17 Ill. Reg. November 1, 1992), effective

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC HEARING ON DRAFT RULEMAKING

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Register Citation to Notice of Proposed Rulemaking: These draft rules have not yet been proposed. Through the public hearing process, the Department is seeking public comment on the draft rules prior to initiation of the rulemaking process.
- 4) Date, Time and Location of Public Hearing:  
October 25, 1993  
9:00 A.M. to Noon  
James R. Thompson Center  
Room 9-040  
Chicago, Illinois

5) Other Pertinent Information:

The Department is scheduling this public hearing on a draft rulemaking that details the Department's policies and standards with reference to Section 203(a)(2)(N) of the Illinois Income Tax Act. Section 203(a)(2)(N) allows a subtraction from base income of amounts exempt from taxation by virtue of Illinois law or the Illinois or U.S. Constitutions. The draft rulemaking sets forth the scope of this subtraction. The rulemaking will appear in a future edition of the Illinois Register. The public hearing will be for the sole purpose of gathering public comment on the draft rules.

Persons interested in rulemaking on this subject are encouraged to contact the Department to obtain a copy of the draft rules prior to the hearing. Copies of the rules may be obtained by submitting a written request to:

Illinois Department of Revenue  
Keith W. Staats, Staff Attorney  
Legal Services Bureau  
101 W. Jefferson, 5-500  
Springfield, IL 62794

Copies of the rulemaking may also be obtaining by telephoning the Department at (217) 782-7054.

Persons interested in presenting testimony are advised that the Department will adhere to the following procedures in the conduct of the hearing:

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC HEARING ON DRAFT RULEMAKING

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. All testimony shall conclude at the specified time except that an individual presenting testimony at that time shall be allowed to complete the presentation.



DEPARTMENT OF FINANCIAL INSTITUTIONS  
NOTICE OF PUBLIC INFORMATION  
NOTICE OF NAMES OF PERSONS APPEARING  
TO BE OWNERS OF UNCLAIMED PROPERTY WHOSE  
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

TITLE 38: FINANCIAL INSTITUTIONS  
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

Pursuant to statutory requirement, the Illinois Department of Financial Institutions is publishing the names and last known addresses of unclaimed property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

If your name or that of a person you represent appears below, you may contact the Department for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

UNCLAIMED PROPERTY DIVISION  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
P.O. Box 19495  
Springfield, Illinois 62794-9495

AUTHORITY: Implementing and required by the Illinois Uniform Disposition of Unclaimed Property Act, (765 ILCS 1025/12).

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

A & B EXCESS UNDERWRITERS	750 HOMESTEAD AVE METAIRIE	LA	70005-0000
AARON	LOUIE		
	7323 JACKSONVILLE HIGHWAY NORTH LITTLE ROCK	AR	72117-0000
AARP PRUDENTIAL INS	PO BOX 13999 PHILADELPHIA	PA	19187-0000
ADAMS	EDWIN	M	9990 BANKSIDE DR ROSEWELL
		GA	30076-0000
ADAMS	JAMES	J	
	LANSING	MI	48918-0000
AETNA INS CO	PO BOX 800 ENFIELD	CT	06082-0000
AETNA INSURANCE	BOX 6610 8700 STATE LINE LEAWOOD	KS	66206-0000
AETNA INSURANCE	1503 N CEDAR CREST BLVD ALLEN TOWN	PA	18104-0000
AETNA INSURANCE	151 FARMINGTON AVE HARTFORD	CT	06156-0000
AETNA LIFE & CASUALTY	PO BOX 6610 LEAWOOD	KS	66206-0000
AETNA LIFE AND CASUALTY	151 FARMINGTON AVE HARTFORD	CT	06156-0000
AETNA LIFE INS	1503 CEDARCREST PROFESSIONAL BLDG ALLEN TOWN	PA	18104-0000
AETNA LIFE INS	1503 NORTH CEDAR CREST BOULEVARD ALLEN TOWN	PA	18104-0000
AETNA LIFE INSURANCE	PO BOX 1736 READING	PA	19603-0000
ALBE	JOSEPH	S	6205 WAINWRIGHT DR NEW ORLEANS
		LA	70122-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF PUBLIC INFORMATION

ALBERS	RICHARD	H RT 1 NEZ PERCE	ID 83543-0000
ALEXANDER	CALVIN	J 7404 KNIGHTLAKE DR APT 206 OKLAHOMA CITY	OK 73132-0000
ALEXANDER	CALVIN	J 7404 KNIGHTLAKE DRIVE APT 206 OKLAHOMA CITY	OK 73132-0000
ALEXANDER & ALEXANDER		600 FISHER BUILDING DETROIT	MI 48202-0000
ALL PURPOSE FLOAT SERVICES INC		CANADA	FA 00000-0000
ALLEN	ELIZABETH	2709 AVENUE E BIRMINGHAM	AL 35218-0000
ALLEN	KEITH	D 17740 TOPFIELD DRIVE GAITHERSBURG	MD 20877-0000
ALLEN	SHARON	RT 6 BOX 9257 TWIN FALLS	ID 83301-0000
ALLSTATE	INSURANCE	2101 LURLEEN B WALLACE BLVD NORTHPORT	AL 35476-0000
AMBRISCO	RAYMOND	M PO BOX 825 CONNELLSVILLE	PA 15425-0825
AMERICAN EDUCATIONAL SERV			MI 00000-0000
ANCHOR MOA SERVICE		PO BOX 370 WAYNE	NJ 07470-0000
ANDERSON	FRANCINE	2409 WEST TORONTO STREET PHILADELPHIA	PA 19132-0000
ARNOTT	KATHRYN	2903 WILLIAMSBURG LANE CHATANOOGA	TN 37415-0000
ARTON CORP		PO BOX 750355 MEMPHIS	TN 38175-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF PUBLIC INFORMATION

ASSOCIATE & SECURITY I		13975 CONNECTICUT AVE SILVER SPRINGS	MD 20906-0000
ASSOCIATED DISTRIBUTORS		1795 PEACHTREE ROAD ATLANTA	GA 30341-0000
ATT		ROOM 631 MORRISTOWN	NJ 07960-0000
AVIS CAR RENTAL		PO BOX 771 GARDEN CITY	NJ 11530-0000
B AND E SALES COMPANY		PO BOX 2020 BLOOMFIELD HL	MI 48013-0000
BAER	BEN	K 311 EAST CHERRY CIRCLE MEMPHIS	TN 38117-0000
BAKER	GLENN	3407 VENONA E3 HUNTSVILLE	AL 35810-0000
BAKER	VINCE	2823 F MIMOSA RD BRUNSWICK	GA 31520-0000
BALES	STURGIS	G LAVISTA PERIMETER OFF PK SUITE 108 B TUCKER	GA 30084-0000
BALLIET	EDNA	APT A 2 OKLAHOMA CITY	OK 73116-6518
BALLIET	EDNA	1114 SHERWOOD LANE OKLAHOMA CITY	OK 73116-6518
BALLIET	FRED	J APT A 2 OKLAHOMA CITY	OK 73116-6518
BANKERS LIFE INSURANCE		711 HIGH STREET DES MOINES	IA 50307-0000
BANKERS LIFE INSURANCE CO		711 HIGH ST DESMOINES	IA 50307-0000
BARKER	KEVIN	789 KAPULA DR KIHEI MAUI	HI 96753-0000

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BARKER	SUSAN	789 KAPULA DR KIHEI MAUI	HI	96753-0000	BERNSTEIN	LAURIE	172 NASSAU STREET PRINCETON	NJ	08542-0000
BAUMGARTNER	LAVONNA	1854 HARRISON AVENUE BUTTE	MT	59701-0000	BERNSTEIN	PATRICIA	S 172 NASSAU STREET PRINCETON	NJ	08542-0000
BAZZELL	DONALD	R 3854 PACIFIC DAVENPORT	IA	52806-0000	BETTS	COLLEEN	M 98 S MAIN STREET SUFFIELD	CT	06078-0000
BCA		PO BOX 1724 READING	PA	19603-0000	BETTS	ROBERT	D 98 S MAIN STREET SUFFIELD	CT	06078-0000
BEALL	CARRIE	GARLAND APARTMENTS BERRIEN SPRINGS	MI	49104-0000	BICKLEY	KAREN	125 PROSPECT STREET EAST ORANGE	NJ	07018-0000
BEARDSLEE	LYLE	E 801 E PEORIA PAOLA	KS	66071-1815	BIEHL	HAZEL	600 S CHERRY ST SUITE 1100 DENVER	CO	80222-0000
BECKETT	DOROTHY	G 407 S 17TH COEUR DALENE	ID	83814-0000	BIEHL	PEGGY ANN	600 S CHERRY ST SUITE 1100 DENVER	CO	80222-0000
BECKS LUMBER INC		917 WEST B STREET RAINIER	OR	97048-0000	BIG B DISCOUNT DRUGS		PO BOX 10168 BIRMINGHAM	AL	35202-0000
BENTLEY EDU & COMPANY		SCOTLAND	FA	00000-0000	BIGHAM	DOUGLAS	212 FOURTH STREET NEWARK	NJ	07107-0000
BENTON	MARIA	C 1120 Hibernia Bk New Orleans	LA	70122-0000	BIRO	MARK	J 71 VALL PARK SOUTH BETHLEHEM	PA	18018-0000
BENTON	WAYNE	1120 Hibernia Bk New Orleans	LA	70122-0000	BITUMINOUS CASUALTY CORP		SUITE 1140 STERICK BUILDING MEMPHIS	TN	38103-0000
BERG	ELTON	L 307 W REDWOOD GILLETTE	WY	82716-0000	BLAZE	CLARENCE	PO BOX 3275 FLINT	MI	48502-0000
BERKELEY DIVINITY SCHOOL SCHOLARSHIP FD		409 PROSPECT STREET NEW HAVEN	CT	06510-0000	BLUE CROSS BLUE SHIELD OF NEW JERSEY		33 WASHINGTON ST NEWARK	NJ	07102-0000
BERMAN	MAXINE	S 265 MADISON AVENUE PERT AMBAY	NJ	08861-0000	BN TRANSPORT		6775 EAST EVANS AVENUE DENVER	CO	80224-2355
BERNARD MCFADEN HOTEL & HEALTH		PO BOX 2260 10 PARSONAGE ROAD EDISON	NJ	08817-0000	BOGGS	GLENNA	M A GROVE TERRACE MONTCLAIR	NJ	07042-0000

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BOGGS	OTIS	N A GROVE TERRACE MONTCLAIR	NJ 07042-0000
BORCHARDT	ALBERTA	801 PHILLIPS DRIVE NORTH GLEN	CO 80233-0000
BORN	JAMES	W 297 MAGOTHY BEACH RD PASADENA	MD 21122-0000
BOSS	KENNETH	D 509 PARKER ST BENNINGTON	KS 67422-0000
BOUNDS	LULA	1936 GUARDIAN BUILDING DETROIT	MI 48226-0000
BOWEN	THOMAS	D 114 CENTRAL RD FOREST CITY	IA 50436-2005
BOWN	CRAIG	L 95 BENNINGTON DR EAST WINDSOR	NJ 08520-0000
BOYCE	MARK	C 100 SOUTH MAIN STREET DOYLESTOWN	PA 18901-0000
BOYD	SUZAN	D 10 CEDARWOOD LANE COLUMBIA	SC 29205-0000
BOYDSTUN	JAMES	T PO BOX 742 MC CALL	ID 83638-0000
BRACKETT	JERRY	RFD 1 ROX 300 ANSON	ME 04911-0000
BRADFIELD	WILLARD	E 5605 VANTAGE POINT ROAD COLUMBIA	MD 21044-0000
BRAFF LIVAK ERTAG & WOR	TMANN ATTYS	85 S HARRISON STREET EAST ORANGE	NJ 07018-0000
BRAMMER	LEONARD	1825 JERRY MURPHY RD PUEBLO	CO 81001-0000
BRANDT	CAROLINE	J 3324 WEST LOCUST DAVENPORT	IA 52804-0000

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BRASSELER USA INC		800 KING GEORGE BLVD SAVANNAH	GA 31419-0000
BRAZILL	DARRYL	J 544 CAMPBELL STREET RIVER ROUGE	MI 48218-0000
BRINK	GREGORY	K 1905 HALLAM AVE COLORADO SPRINGS	CO 80911-1041
BRIXEY	BETTY	L RT 1 BOX 220 BUHL	ID 83316-0000
BRIXEY	JIM	RT 1 BOX 220 BUHL	ID 83316-0000
BROWN	D	101 LAKE FOREST 256 GAITHERSBURG	MD 20877-0000
BROWN	DONALD	R BOX 611 GAYLORD	MI 49735-0000
BROWN	DONALD	R PO BOX 611 GAYLORD	MI 49735-0000
BROWN	FLOYD	265 MADISON AVENUE PERT AMBAY	NJ 08861-0000
BROWN	J	PO BOX 370 WAYNE	NJ 07470-0000
BROWN	MABEL	265 MADISON AVENUE PERT AMBAY	NJ 08861-0000
BROWN	MARY	J PO BOX 611 GAYLORD	MI 49735-0000
BUCKEYE UNION INS CO		205 E GRAND RIVER AVENUE FOWLERVILLE	MI 48836-0000
BUCKNER	THEODORE FRED	800 BUHL BUILDING DETROIT	MI 48226-0000
BUJADOUX	EMIL	600 S CHERRY ST SUITE 1100 DENVER	CO 80222-0000

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BULLARD	DOROTHY	J 82 PHEASANT RUN WILTON	CT 06897-0000	H 6640 POWERS FY ROAD N W SUITE 106 ATLANTA GA 30339-0000	
BULLARD	IRENE	NO 10C WEST NEW YORK	NJ 07093-4223	C 167 WINDY HILL CT ATHENS GA 30606-0000	
BULLARD	LAURA	M 82 PHEASANT RUN WILTON	CT 06897-0000	445 N ARDMORE AVE FT DODGE IA 00000-0000	
BURFORD	GREGORY	1017 N 10TH STREET BURLINGTON	IA 52601-0000	20 GLOVER AVE NORWALK CT 06582-0000	
BURK	ILAH	ROUTE 12 BOX 23 FAYETTEVILLE	AK 72701-0000	C 7424 KIMBARK CT APT E BALTIMORE MD 21217-0000	
BURK	THOMAS	ROUTE 12 BOX 23 FAYETTEVILLE	AK 72701-0000	O 19 TH STREET & MURDOCK AVENUE PARKERSBURG WV 26101-0000	
BURKE	GENEVIEVE	CEDAR RAPIDS	IA 00000-0000	1428 BOURBON ST NEW ORLEANS LA 70116-2009	
BURMEISTER	G	J 3801 MEADOWLAND BLVD COLORADO SPRINGS	CO 80907-0000	1428 BOURBON ST NEW ORLEANS LA 70116-2009	
BURNS	ANTHONY	PO BOX E 4000 COOPE ST JACKSON	MI 49204-0000	134 EVERGREEN PLACE EAST ORANGE NJ 07018-0000	
BURNS	B	C 3403 BURTON RIDGE RD APT A GRAND RAPIDS	MI 49506-0000	1401 ORBANCO BLDG 1001 SO 5TH AVE PORTLAND OR 97204-0000	
BURNS	BARTON	C 188 CARNAVON PKWY NASHVILLE	TN 37205-0000	1401 ORBANCO BLDG 1001 SO 5TH AVE PORTLAND OR 97204-0000	
BURROWS	BILL	ROUTE 4 APT 1B ELIZABETHTOWN	TN 37643-0000	PANAMA FA 00000-0000	
BURTH	HOWARD	500 MONROE ST ORANGE	NJ 07050-0000	L 300 REDLAND RD LANDRUM SC 29356-0000	
BURTH	MARVA	500 MONROE ST ORANGE	NJ 07050-0000	H 4807 BETHESDA AVE S 242 BETHESDA MD 20814-0000	
BUSINESS ASSOCIATES GROUP		67 BROOKLAWN LANE WILLINGBORO	NJ 08046-1540	A 2201 JUDSON STREET LONGMONT CO 80501-0000	

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CARTMILL	RICHARD 3365 E SKELLY DR TULSA OK 74135-0000	CHRYSLER CORPORATION	PO BOX 1896 DETROIT MI 48288-0000
CATO	CATHERINE 26555 EVERGREEN SOUTHFIELD MI 48076-0000	CITY CAB CO	17260 PONTCHARTRAIN DETROIT MI 48203-0000
CAUTHORN	HELEN SYKESVILLE MD 21784-0000	CLAGUE	LUCILE W 37 WHIPPOORWILL RD BETHEL CT 06801-2721
CHAMPUS CHAMPVA	PO BOX 6120 COLUMBIA SC 29260-0000	CLAGUE	STANLEY R 37 WHIPPOORWILL RD BETHEL CT 06801-2721
CHANCE	LAVERN C 2203 W 76TH STREET DAVENPORT IA 52806-0000	CLEMENS	JEANNE C 145 W DOUGLAS READING PA 19601-0000
CHANCE MFG CO INC	STREET LEVEL FOURTH FINANCIAL CENTER WICHITA KS 67202-0000	CLINICAL LABORATORIES	
CHANCE MFG CO INC	UNION CENTER BUILDING WICHITA KS 67202-0000	CNA MAIL HANDLERS PLAN	PO BOX 6222 ROCKVILLE MD 00000-0000
CHANG	PEGGY Y 71 VERONICA AVE SOMERSET NJ 08873-0000	COCHRANE	CARL L RT 1 BOX 146 H CATALDO ID 83810-0000
CHANG	TONY C 71 VERONICA AVE SOMERSET NJ 08873-0000	COFFEY	BARBARA 85 NORWOOD AVENUE DEAL NJ 07723-0000
CHARLES	ROBERT F PO BOX 1075 HIGHTSTOWN NJ 08520-0000	COLE	CHARLES F 720 N MAIN SMITH CENTER KS 66967-0000
CHARLES BAR & GRILL	69 DOVER STREET NEWARK NJ 07106-0000	COLE	JAMES F 5927 HILMAR DRIVE FORSTVILLE MD 20747-0000
CHATTANOOGA CORP	PO BOX 7780 1761 PHILADELPHIA PA 19182-0000	COLEMAN	MAXINE 320 PAGE COURT WICHITA KS 67202-0000
CHESAPEAKE PHYSICIANS	PO BOX 9048 BALTIMORE MD 21222-0000	COLEMAN	RAMON 320 PAGE COURT WICHITA KS 67202-0000
CHRIS FIEDLER CORP	SUITE 1140 STERICK BUILDING MEMPHIS TN 38103-0000	COLEMAN	S EDDIE 320 PAGE COURT WICHITA KS 67202-0000
CHRYSLER CORP SUP 30605A	PO BOX 1896 DETROIT MI 48288-0000	COLLINS	CHARLES E 45 DOUBLETREE LN BENTON AR 72206-0000





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CROWN KENNETH	30 CLINTON ROAD WEST CALDWELL	NJ 07006-0000	DAY	JAMES SAUDI ARABIA	FA 00000-0000
CUADRADO	PETER 416 Gravier St New Orleans	LA 70130-0000	DEAN	RICHARD F 3390 W OLDS RD LESLIE	MI 49251-0000
CUMMENS	HARRIETTE 211 GLENVIEW DRIVE ASHLAND	OR 97520-0000	DEATCHER	JOSEPH H 67 58 CANAL BLVD NEW ORLEANS	LA 70124-0000
CUNNINGHAM	MICHAEL J 29885 MONTEREY LN EVERGREEN	CO 80439-8816	DECUEVAS	JOHN	NJ 00000-0000
CURCIO	ANTHONY 5339 GREEN STREET PHILADELPHIA	PA 19144-0000	DEFENSE PERSONNEL SUPPT CNT		
CURRY	BRIAN D 409 KENASHA ST BIRMINGHAM	AL 35224-0000	DELTA CAPITAL GROWTH		
CURRY & CURRY INC	LAVISTA PERIMETER OFF PK SUITE 108 B TUCKER	GA 30084-0000	DELTA SIGMA PHI		
CURTIS	WILLIE 1596 1/2 LINDEN STREET AUGUSTA	GA 30904-0000	DEMAIO	ANTHONY 416 FRONT STREET P O BOX 133 BELVIDERE	NJ 07823-0000
CUTLER	BETSY A 131 SAND HILL RD MIDDLETON	CT 06457-0000	DEMAIO	JAMES 416 FRONT STREET P O BOX 133 BELVIDERE	NJ 07823-0000
Dorothy Mae Jones & Richard Donahue	701 N Causeway Blvd Metairie	LA 70001-0000	DEMPSEY	ELIZABETH 1102 YORK CHERRY HILL	NJ 08034-0000
DANFORD	CHARLES 4008 HUNTERS RIDGE DRIVE 4 HUNTSVILLE	AL 35802-0000	DEMPSEY	RONALD L 519 HIGH RD NORWALK	IA 50211-0000
DANIELS	OTIS L N STAR RTE ROLLA	KS 67954-0000	DEPENNING & DEPENNING		
DANNIEL	VANUS M 319 BARRETT BURLINGTON	IA 52601-0000	DEPOMPEO	MICHEAL A 25 GRAND AVE UNIT 4 HACKENSACK	NJ 07601-0000
DAVIS	GREGGORY 5038 OSAGE PHILADELPHIA	PA 19146-0000	DETROIT RECAPING CO		
DAVIS ELECTRIC	PO DRAWER 759 NORTH LITTLE ROCK	AR 72115-0000	DEVANEY	MICHAEL P 487 ROCK RD GLEN ROCK	NJ 07452-0000

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DEWEY	MARGARET	A 110 CLUBHOUSE DR BELLA VISTA	AR	72712-0000
DIAZ	JUAN	B 1812 N BRAUER 12 OKLAHOMA CITY	OK	73106-0000
DISPENZA	MARY	W 560 W CAROLINA AVE HARTSVILLE	SC	29550-5412
DIX	JEAN	RR 1 BOX 98 STOCKTON	KS	67669-0000
DOME & MOORE		1795 PEACHTREE ROAD ATLANTA	GA	30341-0000
DONOVAN	BEATRICE	1300 MICHIGAN AVE IRON MOUNTAIN	MI	49801-0000
DOVER	SHAWN	R 778 MOORE STREET HONOLULU	HI	96818-0000
DOWD	JOHN	H 7 FOX CHASE DRIVE HERSHEY	PA	17033-0000
DOWD	MARY	A 7 FOX CHASE DRIVE HERSHEY	PA	17033-0000
DOWD AND ASSOCIATES		1036 OLDFIELD RD ELKTON	MD	00000-0000
DOWNES	DORIS	L 342 E MONTANA ST PHILADELPHIA	PA	19119-0000
DOZIER	BARBARA	3405 S W 18TH OKLAHOMA CITY	OK	73108-0000
DRIFTWOOD DRUGS INC		3519 WILLIAMS BLVD KENNER	LA	70062-0000
DUNT	THOMAS	1228 Vine St WATERLOO	IA	50703-0000
DUPLANTIS	JOSEPH	A Grand Calliou Route Houma	LA	70360-0000

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DYKE	J	1213 LEFTLAND DR LONGMONT	CO	80501-0000
DYKSTRA	JOEL	A 605 WESTLAWN ST BAY CITY	MI	48706-3245
E I DUPONT		PO BOX 80361 WILMINGTON	DE	19880-0361
EICHENBERGER	DONALD	139 S W 74TH APT C OKLAHOMA CITY	OK	73119-0000
ELLEFSON	MANNING	RT 3 BOX 42J BERRYVILLE	AR	72616-0000
ELMER	JOANNE	413 FRIDLEY DR SUMNER	IA	50674-0000
ENGEL	MARK	R 7905 KREEGER DR AELPHI	MD	20783-4413
ENSMINGER	HAZEL	F CEDAR RAPIDS	IA	52401-0000
EQUITABLE		BOX 10392 DES MOINES	IA	50306-0000
EQUITABLE ASSURANCE SOCIETY		PO BOX 3000 LANCASTER	SC	29721-0000
EQUITABLE LIFE		PO BOX 10397 DES MOINES	IA	50306-0000
EQUITABLE LIFE ASSN		BOX 10403 DES MOINES	IA	50306-0000
EQUITABLE LIFE ASSURANCE CO		BOX 13463 NEWARK	NJ	07188-0463
EQUITABLE LIFE INS		PO BOX 1195 EASTON	PA	18044-0000
ERBST	NORMAN	J PO BOX 551 OROFINO	ID	83544-0551



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ERVIN	MAZIE	E 512 NORTH THIRD STREET ATCHISON	KS	66002-0000
EVEQUOZ	VLASTA	BETHESDA	MD	20805-0000
EXNICIOS	HAL	D 7952 Chef Menteur New Orleans	LA	70126-0000
F & M DISTRIBUTORS 29		42043 FORD RD CANTON TOWNSHIP	MI	48187-0000
FARMERS INS GROUP		112 NINTH AVENUE SOUTH NAMPA	ID	83651-0000
FARMERS INS GROUP		1401 ORBANCO BLDG 1001 SO 5TH AVE PORTLAND	OR	97204-0000
FARRELL	KENNETH	V ROUTE 2 VAN METER	IA	50261-0000
FARRIN	JENNIFER	L 376 HAMPSHIRE COURT WYCKOFF	NJ	07481-0000
FAY M FOSS TRUST		1050 N BOULEVARD IDAHO FALLS	ID	83401-0000
FEDERAL EXPRESS		PO BOX DEPT A MEMPHIS	TN	38101-1140
FEHR	W	H 70 OLD PEOPLES HOME CEDAR RAPIDS	IA	52406-0000
FIELDS	HAZEL	QUINCY	NJ	07062-1008
FIRST BAPTIST CHURCH		20 BROOKSIDE DR DANVILLE	PA	17821-0000
FIRST NATIONAL BANK OF GREAT FALLS MT		524 1 AVENUE SOUTH GREAT FALLS	MT	59401-0000
FIRST TRUST & SAVINGS BANK		PO BOX 940 DAVENPORT	IA	52806-0000

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FISK	JAMES	J 520 VILLAGE LANE BOISE	ID	83702-6235
FITZGERALD	JAMES	W 811 RITCHIE HIGHWAY SEVERNA PARK	MD	21146-0000
FLAUM	ADAM	M 85 CAMBRIDGE GROSSE POINT FARM	MI	48236-0000
FLAUM	MICHELE	M 85 CAMBRIDGE GROSSE POINT FARM	MI	48236-0000
FLEMING	WILLIAM	R 501 GARDENDALE DR MONTGOMERY	AL	36110-0000
FLETCHER	JOHN	C 1158 MANOR LANE MT PLEASANT	SC	29464-0000
FLIEGELMAN	LESLIE	549 AVON STREET PHILADELPHIA	PA	19116-3324
FOBISH	JOSEPH	P O BOX 36 CHENEYVILLE	LA	71325-0000
FOBISH	LE ESTHER	P O BOX 36 CHENEYVILLE	LA	71325-0000
FOOTE	JEANETTE	816 LAMAR GRETN	LA	70056-4535
FOOTE	PAUL	L 816 LAMAR GRETN	LA	70056-4535
FOSS	FAY	M 1050 N BOULEVARD IDAHO FALLS	ID	83401-0000
FOSTER	LAWRENCE	24 GOLF LN RIDGEFIELD	CT	06877-0000
FOSTER	LIZABETH	A 24 GOLF LN RIDGEFIELD	CT	06877-0000
FRANK C STEWART & ASSOCIATES		8051 N CLASSEN OKLAHOMA CITY	OK	73114-0000

FRANK R LANGTON ATTY	32584 VAN DYKE WARREN	MI 48093-0000	GEORGIA KRAFT CO	HWY 20 W BOX 1551 ROME	GA 30161-0000
FRANKLIN	DELBERT	L 429 RUE DE CHATEAU STONE MOUNTAIN	GIANELLO	CLAUDIO	L 3308 S DUFF 14 AMES
FRANKLIN	LYNN	W 212 Loyola Ave New Orleans	GIVENS	MARGARET	A SUITE 200 BOX 2720 BOISE
FRANKLIN MACH PROD		PO BOX 992 MARLTON	GLENN	CONSTANCE	A 831 6TH ST SW BIRMINGHAM
FREEBURG	ROBERT	104 DELL ST HOLIDASBURG	GLOBE LIFE		GLOBE LIFE CENTER OKLAHOMA CITY
FRIDE	SYLVIA	M 4530 LILAC LANE KALAMAZOO	GODMAN	WILLIAM	C 29 COLGATE POCATELLO
FULLER	ETHEL	B 205 E GRAND RIVER AVENUE FOWLERVILLE	GOLDMAN SACHS		BOX 611 GAYLORD
G A T X		PO BOX 619 WAYCROSS	GONZALES	M CAROLYN	1426 SUMMERVILLE AVE COLUMBIA
GAINES	LLOYD	C 1st Nat Bk Comm Bldg New Orleans	GRAHAM	MARA	3721 BARING PHILADELPHIA
GALLAWAY	DEANIE	S RTE 1 AIRPORT RD TWIN FALLS	GRAHAM & ROSS MERCANTILE CO INC		524 1 AVENUE SOUTH GREAT FALLS
GALVAN	MARIA	36 GROVE STREET 11 NORTH PLAINFIELD	GRAND UNION		201 WILLOWBROOK WAYNE WAYNE
GAMBLE	CAMERON	826 Lafayette St New Orleans	GREEN	ROSIE	426 W 13TH STREET DAVENPORT
GANSKA	RAYMOND	P RD 1 BOX 18 ORSTC AC GREENTOWN	GREGORY	MILTON	A 239 NAUTILUS DRIVE APT 229 NEW LONDON
GARCIA	AIDA	40 PASSAIC AVENUE PASSAIC	GRELL	JAY	2733 AVE N FORT MADISON
GAZDALSKI	THOMAS	C 145 HIGH STREET MONTCLAIR	GRIFFITHS	LEONARD	105 FILLMORE DENVER

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GRISLER	HOWARD	E ROUTE 12 BOX 473 ATHENS	AL	35611-0000	HART	MARY	84 PINE STREET W MILFORD	NJ	07480-0000
GUARDIAN LIFE INS		1025 ASHWORTH ROAD DES MOINES	IA	50265-0000	HARVEY & PRICE CO		2015 NUGGET WAY P O BOX 2503 EUGENE	OR	97402-0000
GUENTHER	ADOLPH	E 307 ATHERTON DRIVE METAIRIE	LA	70005-3807	HAUKE	DAVID	H 17380 SUMNER REDFORD	MI	48240-2144
GUINN	CLARK	F 6944 AMBERLY VILLAGE DR CORDOVA	TN	38018-0000	HAWKINS	SHIRLEY	E PO BOX 35 RED OAK	IA	51566-0000
GUSTAFSON	LINDA	K 512 SPRING AVE LUTHERVILLE	MD	21093-0000	HAYDEN	PERITUS	512 COURTHOUSE STREET LEESVILLE	LA	71446-0000
HALE	GEORGE	E 501 L STREET ANCHORAGE	AK	99501-0000	HAYES	JAMES	H 1000 LOMBARD NEW IBERIA	LA	70560-0000
HALL	RUSSELL	D ROUTE 2 BOX 285A LAKE CITY	AR	72437-0000	HEIL	HELEN	118 MADISON TWIN FALLS	ID	83301-0000
HAMMEN	HENRY	V 7329 SHIRLEY AVENUE BALTIMORE	MD	21237-0000	HEIRS	HOWARD	M 387 DOVE VALLEY RD COLLIERVILLE	TN	38017-0000
HANNA	PHILLIP	C 2640G GLENWOOD DRIVE PHILADELPHIA	PA	19121-0000	HELMER	WILBUR	PO BOX 1428 ROSEBURG	OR	97470-0000
HANSEN	NANCY	C RR2 BOX 305 FRENCHTOWN	NJ	08825-0000	HENDRICKS	LEAH	25 HOLLY LANE TWIN FALLS	ID	83301-0000
HARKNESS	KENNETH	E 1561 S DALE CT DENVER	CO	80219-0000	HERNANDEZ	HECTOR RIOS	PUERTO RICO	FA	00000-0000
HARMONS IGA		RTE 104 AUBURN	AL	36830-0000	HESTER	OLIVE	C BOX 4 DANVILLE	IA	52623-0000
HARRIS BURNS & CO INC		STREET LEVEL FOURTH FINANCIAL CENTER WICHITA	KS	67202-0000	HI LINE MFG CO INC		6027 MONITOR PLACE WEST NEW YORK	NJ	07093-0000
HARRIS WHOLESALE COMPANY		940 VISTA PARK DRIVE PITTSBURGH	PA	15205-0000	HIBBERT	WARDELLE LORET	918 PHOENIX STREET SOUTH HAVEN	MI	49090-0000
HARROD	FRED	1701 CEDAR PARK RD ANNAPOLIS	MD	21401-0000	HIERS	HOWARD	M 387 DOVE VALLEY RD COLLIERVILLE	TN	38017-0000



HITLE	F	B 1250 BIRMINGHAM BLVD BIRMINGHAM	MI 48009-4101	HOOPLE	MARJORIE	M 7180 EAST 67TH AVE COMM CITY	CO 80022-0000
HILL LANES INC		1320 CUSHING RD SCOTCH PLAINS	NJ 00000-0000	HORTON	JANICE	E STAR RT 4A BOX 29F DOLORES	CO 81323-0000
HINJOS	FERMIN	R 7410 S CARR CT LITTLETON	CO 80123-0000	HOSPITAL CORP OF AMERICA		ONE PARK PLAZA NASHVILLE	TN 37202-0000
HINKEL	PATRICIA	S 1760 EAST VCTORY BOISE	ID 83706-5016	HOUSER	EDWIN	4680 CROWN BLVD D DENVER	CO 80239-0000
HOBART CORP		9135 TAIRESDALE AVE PHILADELPHIA	PA 19136-0000	HOWARD A WHOLESALE CO		909 NORTH 18TH MONROE	LA 71201-0000
HOBERT	KAREN	E 912 Benton Dr 31 IOWA CITY	IA 52240-0000	HOVER	MABEL	S 908 S 29th St FORT DODGE	IA 50501-0000
HOF SOMMER	ROBERT	J BOX 219 NEWTON	IA 50208-0000	HUGHES	MICHAEL	B 9119 REDWOOD AVE BETHESDA	MD 20817-0000
HOF SOMMER	ROBERT	J 3720 BRIDGE AVE DAVENPORT	IA 52807-0000	HUMPHRIES	OLGA	1132 NEVADA GOODING	ID 83330-0000
HOGAN	MARCIA	L 2322 GRAPE ST DENVER	CO 80207-0000	HUSSEIN	YAHYA	S BOX 591 PLYMOUTH	MI 48170-0000
HOLSAPPLE	M	E WEST RESERVE DRIVE KALISPELL	MT 59901-0000	ILLINOIS DEPT OF REVENUE		PO BOX 443 BLUE GRASS	IA 52726-0443
HOME LIFE INSURANCE		ONE CENTENNIAL AVE PISCATAWAY	NJ 08854-0000	INDUSTRIAL HOSE SERVICE		ROUTE 2 BOX 55 SPRINGFIELD	GA 31329-0000
HOME LIFE INSURANCE		1 CENTENNIAL AVE PISCATAWAY	NJ 08855-0000	INGRAM	JACKIE	1712 GREENMEADOW DUNCAN	OK 73533-0000
HOME LIFE INSURANCE CO		PO BOX 956353 DULUTH	GA 30136-0000	INNOVATIVE SOFTWARE INC		PO BOX 15998 LENEXA	KS 66215-0000
HOME LIFE INSURANCE COMPANY		PO BOX 956353 DULUTH	GA 30136-0000	INTERNTH M/K PROD FL FR D		PO BOX 397 CALWELL	ID 83605-0000
HOPKINS	JULIA	GEN DELIVERY BALDWIN	MI 49304-0000	IRISH	VIKKI	G 388 21ST ST SE CEDAR RAPIDS	IA 52403-4255

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DEPARTMENT OF FINANCIAL INSTITUTIONS				DEPARTMENT OF FINANCIAL INSTITUTIONS			
NOTICE OF PUBLIC INFORMATION				NOTICE OF PUBLIC INFORMATION			
JACKSON	MARGUERITE	6246 WALTON AVENUE PHILADELPHIA	PA 19143-0000	JOHNSON	WALTER	1605 FNBC Bldg New Orleans	LA 70112-0000
JACKSON	RAYMOND	5250 SAPHIRE DR COLORADO SPRINGS	CO 80918-0000	JOHNSON	WILLIAM	T 8650 11TH AVE SILVER SPRINGS	MD 20903-0000
JACOBSON	CAROL	L 202 ADIDIA RD WALDORF	MD 20601-0000	JONES	CAROL	R 2345 MORRIS RD COLLEGE PARK	GA 30349-0000
JACOBSON	LILLIAN	A 202 ADIDIA RD WALDORF	MD 20601-0000	JONES	STEVEN	M 2345 MORRIS RD COLLEGE PARK	GA 30349-0000
JAMES BENEFITS		SUITE 100 WHEAT RIDGE	CO 80034-0000	JORDAN	JOHN	C 206 6TH ST CORALVILLE	IA 52240-0000
JAYSON	KENNETH	1180 RAYMOND BOULEVARD NEWARK	NJ 07102-0000	JORDAN/FOIL REFRIG CO		2200 KENNEDY ST PHILADELPHIA	PA 00000-0000
JAYSON	SYBIL	1180 RAYMOND BOULEVARD NEWARK	NJ 07102-0000	JORGENSEN	LILLIAN	M 1110 SPENCER DR BRIGHTON	MI 48116-0000
JC LESTER PC DEFINED PENSION PLAN		980 JOHNSON FERRY ROAD ATLANTA	GA 30342-0000	KABE INC		69 DOVER STREET NEWARK	NJ 07106-0000
JEFFRIES	DAVID	A PO BOX 891 NEWBERRY	SC 29108-0000	KAIN	DANIEL		CT 00000-0000
JENSEN	JESSIAS	D 2840 E 32ND ST DAVENPORT	IA 52807-0000	KANE HOTEL		205 E GRAND RIVER AVENUE FOWLERVILLE	MI 48836-0000
JHI INC		WINDSOR ROAD BOX 790 HIGHTSTOWN	NJ 08520-0000	KEELEY	JAMES	J 268 HIGH STREET NEWARK	NJ 07102-0000
JIM MCMANNIS & ASSOCIATES		PO BOX 75429 OKLAHOMA CITY	OK 73107-0000	KEGERREIS	TERRY	L ROUTE 1 BOX 19 CHAMBERSBURG	PA 17201-0000
JOHN HANCOCK MUTUAL		200 HANOVER PARK ROAD DUNWOODY	GA 30338-0000	KENDRICK	STEVE	K 328 PINEWOOD MEMPHIS	TN 38117-0000
JOHNSON	EVERETT	W 6501 TROUP AVE KANSAS CITY	KS 66102-1059	KENT BROS TRANSPORTATION		112 NINTH AVENUE SOUTH NAMPA	ID 83651-0000
JOHNSON	RUTH	615 NEEDHAM PLACE DUBUQUE	IA 52001-6648	KERN	JUDITH	R RD 2 BOX 762 THOMASVILLE	PA 17364-0000

17547	ILLINOIS REGISTER		ILLINOIS REGISTER		17548
93	DEPARTMENT OF FINANCIAL INSTITUTIONS		DEPARTMENT OF FINANCIAL INSTITUTIONS		93
	NOTICE OF PUBLIC INFORMATION		NOTICE OF PUBLIC INFORMATION		
KEYWELL & ROSENFELD ATTY S	MERLIN	30100 TELEGRAPH ROAD SUITE 322 BIRMINGHAM MI 48010-0000	LANGTON	FRANK R 32584 VAN DYKE WARREN MI 48093-0000	
KINTZ	MERLIN	L 111 EAST 20TH STREET SPENCER IA 51301-0000	LANSING SKI CLUB	700 DAVENPORT BUILDING LANSING MI 48933-0000	
KIRBY	RICHARD	M 3069 DOVE WAY DECATUR GA 30033-0000	LATINO	PETER S 818 Richards Bldg New Orleans LA 70112-0000	
KLAPP	WILLIAM	826 Lafayette St New Orleans LA 00000-0000	LATINO IRIS	R 818 Richards Bldg New Orleans LA 70112-0000	
KLEVENS	ALICE	T SHERWOOD OAKS BOX 150 MARS PA 16046-0000	LATINO SAM	L 818 Richards Bldg New Orleans LA 70112-0000	
KNEFEL	GAYLENE	J RT 2 FILER ID 83328-0000	LAUGHLIN	ROBERT 3319 SPRINGFIELD CIR COLORADO SPRINGS CO 80906-0000	
KOHIASE	JULIE	A 544 MAYLAND COURT 74 GRAND RAPIDS MI 49503-0000	LAWLOR	TERESA M 906 N 2nd St LECLAIRE IA 52753-0000	
KOLB	TIMOTHY	J 8335 FREEMANTLE DR COLORADO SPRINGS CO 80970-0000	LEAL	VENTURA MEXICO FA 00000-0000	
KRASNOW	CHARLES	G 304 MARK HANNAH PL ANN ARBOR MI 48103-0000	LEMONS	DOROTHY 917 9TH AVE N BUHL ID 83316-0000	
KUULA	NANCY	6800 LYREWOOD APT 84 OKLAHOMA CITY OK 73132-0000	LEONARD	FRED W 6820 W 29TH AVE WHEATRIDGE CO 80033-0000	
LAMBORN	RICHARD	G NORTH BOWERS BEACH FREDERICA DE 19946-0000	LEVIEN	LOUIS 140 SAMPSON ST PHILADELPHIA PA 19106-0000	
LANCE	DENNIS	L 14067 W 58TH PL ARVADA CO 80004-0000	LEVITTOWN PLAZA BOWLING INC	8 ROCKLAND DRIVE WILLINGBORO NJ 08046-0000	
LANDAW	LOUIS	365 WEST PASSAIC STREET ROCHELLE PARK NJ 07662-0000	LIBERTY AMUSEMENT CO INC	22 JOURNAL SQUARE JERSEY CITY NJ 07306-0000	
LANE	BILLY	234 Loyola Ave New Orleans LA 00000-0000	LINCOLN NATIONAL INS	102 S NATIONAL ST FT SCOTT KS 66701-0000	
LANGMESSER	CHERYL	3315 SOUTHWEST KIRK PENDELTON OR 97601-0000	LINCOLN THEATRE INC	701 N Causeway Blvd Metairie LA 70001-0000	



LION	CHARLES	Richards Bldg New Orleans	LA	00000-0000	LOUISIANA SCH FD SERVICE	PO BOX 94064 BATON ROUGE	LA	70804-0000
LION	IRA	Richards Bldg New Orleans	LA	00000-0000	LOUISIANA TRAILER SALES	812 Pere Marquette Bldg New Orleans	LA	00000-0000
LION	THELMA	Richards Bldg New Orleans	LA	00000-0000	LOVE	E J RTE 2 HARTSVILLE	TN	37074-0000
LIPSHULTZ ZUSMAN SIKES PRITCHARD & COHEN	1795 PEACHTREE ROAD ATLANTA	GA	30341-0000	LTV STEEL CORP		1600 W CARSON ST PITTSBURGH	PA	15263-0000
LISK SAVORY CORP	PO BOX 42187 PORTLAND	OR	97242-0000	LUCAS	MARY	P 380 BALA AVE BALA CYNWYD	PA	19004-2833
LITCHMAN TRUSTEE	MARK APT 101 ANN ARBOR	MI	18104-0000	LUCASROGERS	FRANCES	A 380 BALA AVE BALA CYNWYD	PA	19004-2833
LODISIE	EDWARD 3910 BAYSHORE ROAD NORTH CAPE MAY	NJ	08204-0000	LUDWIG	BENNO	P PO BOX 1141 SAUGATUCK	MI	49453-0000
LOFT	TERRENCE CANADA	FA	00000-0000	LUDWIG	SUE ELLEN	PO BOX 1141 SAUGATUCK	MI	49453-0000
LONG	CATHERINE 108 TIMOTHY ST JOHNSTON	PA	15904-0000	LUTES	JAMES	2409 7TH ST LEWISTON	ID	83500-0000
LONG	HOBART E 2716 BEFORD HIGHWAY ATLANTA	GA	30300-0000	LUTXER	MERCY	CANADA	FA	00000-0000
LOPEZ	ADOLFO 2 4 POTTER PLACE WEEHANKEN	NJ	07087-0000	LYONS	R	D 3126 E SHILLER PORTLAND	OR	97202-0000
LOPEZ	ANNA 9 WOODSIDE PL NEWARK	NJ	07104-0000	MACK	GWENDOLY	120 122 LINCOLN STREET EAST ORANGE	NJ	07017-0000
LOPEZ	CORPUS 9 WOODSIDE PL NEWARK	NJ	07104-0000	MACK	LERUYM	120 122 LINCOLN STREET EAST ORANGE	NJ	07017-0000
LORENZINI	MARGARET T APT E1 NEWARK	NJ	07104-2173	MADDEN	JAMES	S PO BOX 223 UNION PIER	MI	49129-0000
LOUGHHRN	MAVIS C 265 STARBOARD POINT ROSWELL	GA	30076-0000	MADDEN	JOYCE	N PO BOX 223 UNION PIER	MI	49129-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS		DEPARTMENT OF FINANCIAL INSTITUTIONS	
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MADDOX	PETRA RT 6 BOX 9661 TWIN FALLS ID 83301-0000	MARTIN	THOMAS L 1 DARLINGTON LN MT PLEASANT SC 29464-0000
MAHONEY	KENNETH 101 LAKE FOREST BLVD GAITHERSBURG MD 20877-0000	MARTINO	CHARLES 6204 3A ROSE HILL DR WHEATON MD 20902-0000
MALDONADO	RAQUEL BUZO 1237 ACEITUNA MOCA PR 00716-0000	MASSEY & FAIR INC	818 ASHBY STREET N W ATLANTA GA 30318-0000
MALLOY	MARGE 23 CLEVNER DR KENNER LA 70062-0000	MASTER SOFT CORPORATION	24293 TELEGRAPH SOUTHFIELD MI 48034-0000
MALONE	JESSIE 1711 PENDELTON MEMPHIS TN 38100-0000	MASTERS	ROBERT 2405 EMERSON AVE GILLETTE WY 82716-0000
MALSTROM AFB	341 SMW/ACFMM MALSTROM AFB MT 59402-0000	MATTHEWS	BARBARA S 5400 E 21ST WICHTA KS 67208-0000
MALZ	R 7537 S GARLAND CT LITTLETON CO 80123-0000	MATTISON	SANDRA D APT 1 TWIN FALLS ID 83301-0000
MANGAUDIS	ROBERT R 4013 68th Street URBANDALE IA 50322-0000	MAY	CYNTHIA 8018 WATERVIEW CT FREDERICK MD 21701-0000
MANLEY	MERLE W 12401 TRAIL OAKS DRIVE OKLAHOMA CITY OK 73120-0000	MAY	LEONARD 8018 WATERVIEW CT FREDERICK MD 21701-0000
MANNING	BARBARA C 426 W 13TH STREET DAVENPORT IA 52803-0000	MAY	REBECCA 8018 WATERVIEW CT FREDERICK MD 21701-0000
MANNING	CLARENCE B 1530 CHEVRON DRIVE DUNWOODY GA 30338-0000	MCCAUSLAND	ANNE 236 HIGHMAN PARK BENTON HARBOR MI 49022-0000
MANNING	MICHAEL 508 OSIRIS ALEXANDRIA LA 71301-0000	MCCLINTON	BERNICE 204 CARNEGIE LINDEN NJ 07036-0000
MARCUS & LEVY ATTYS	5 COLT ST PATTERSON NJ 07505-0000	MCCRARY	HUGH GENERAL DELIVERY DETROIT MI 48201-0000
MARINI	JOHN VANDERBILT UNIV NASHVILLE TN 37232-0000	MCCULLOM	DENNIS 4207 WINTERODE WAY BALTIMORE MD 21236-0000
MARTIN	ERNEST J 6520 HAMMEY CIR COLORADO SPRING CO 80919-0000	MCELVEEN	JOHN 2231 BLUFF ST BOULDER CO 80302-0000

NOTICE OF PUBLIC INFORMATION		NOTICE OF PUBLIC INFORMATION	
MCELVEN	WILLIAM 2231 BLUFF ST BOULDER CO 80302-0000	METROPOLITAN LIFE INS CO	SUITE 4747 PITTSBURGH PA 15218-0000
MCKERLEY	H W CANADA FA 00000-0000	MEIZ	ANTHONY T 20 TYLER APT 215 HIGHLAND PARK MI 48203-0000
MCLEOD	COLIN 2005 SOUTH 10TH CALDWELL ID 83605-4844	MICHAEL ROSS CO	700 S DOCK ST SHARON PA 16146-0000
MCLEOD	DE LAYNE 2005 SOUTH 10TH CALDWELL ID 83605-4844	MICHIGAN STATE OF SECRET ARY OF STATE	LANSING MI 48918-0000
MCNEELY	K 477 MOHEGAN AVE PKWY QUAKER HILL CT 06375-0000	MICHIGAN TRANSPORTATION CO	14105 PLYMOUTH ROAD DETROIT MI 48227-0000
MCPHERSON	EDKER L 1936 GUARDIAN BUILDING DETROIT MI 48226-0000	MICHLIN CHEMICAL CORP	9045 VINCENT DETROIT MI 48211-0000
MCTAGGART	GEORGIA 3321 PROVENCE CRT CASPER WY 82609-0000	MIDDLETON TV	MIDDLETON ID 00000-0000
MEISLER	NEIL E 1426 SUMMERVILLE AVE COLUMBIA SC 29201-1930	MILLER	ALFRED 2585 FAIRFAX STREET DENVER CO 80207-0000
MENNENOH	EUNICE J 2218 AVENUE F FORT MADISON IA 52627-2321	MILLER	ANNA M RT 3 BOX 42J BERRYVILLE AR 72616-0000
MENNENOH	PHILLIP P 2218 AVENUE F FORT MADISON IA 52627-2321	MILLER	GRACE D 2585 FAIRFAX STREET DENVER CO 80207-0000
MENTOR GRAPHICS USERS GROUP	8500 SW CREEKSIDE PLACE BEAVERTON OR 97005-7191	MILLER	RUSSELL D 8763 INDEPENDENCE WAY ARVADA CO 80005-0000
METAL LEVE S A	BRAZIL FA 00000-0000	MILLER	T 330 KRAMERIA STREET DENVER CO 80202-0000
METALLIC MARKETING SYSTEMS INC	100 NEAL WALLINGFORD CT 06492-0000	MILLIKEN	LARRY D 3040 ROCHE DR COLORADO SPRINGS CO 80918-0000
METROPOLITAN INSURANCE	1130 N CHASE PARKWAY MARIETTA GA 30067-0000	MINER	MICHAEL E WEST GERMANY FA 00000-0000
METROPOLITAN LIFE	1130 N CHASE PARKWAY MARIETTA GA 30067-0000	MINHLAI	CHUNG M 101 LAKE FOREST BLVD GAITHERSBURG MD 20877-0000



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MITCHELL	JOHN 237 BUCKINGHAM STREET HARTFORD CT 06106-0000	MURPHY	C D 832 ELM AVE STONY CITY IA 50248-0000
MONTALTO	CHRISTOPHER 7357 PINE TREE TRAIL OSCODA MI 48750-0000	MURPHY	FRED R 12 KIDD ISLAND BOX 92HC COEURD'ALENE ID 83814-0000
MOORE	PICKENS 204 CARNEGIE LINDEN NJ 07036-0000	MURRAY	VERNESSER 1610 EAST HOFFMAN STREET BALTIMORE MD 21213-0000
MOORE	VELDA RT 3 BOX 44 LIMESTONE TN 37681-0000	MUSCATTIELLO	JOSEPH G 1590 VAN BUREN DRIVE N BRUNSWICK NJ 08902-3047
MORGAN	LARRY 703 35TH STREET SAVANNAH GA 31401-0000	MUSCATTIELLO	JULIA A 1590 VAN BUREN DRIVE N BRUNSWICK NJ 08902-3047
MORGAN	ROBERT 816 SUNSET BLVD KENNER LA 70065-0000	MYERS	MARY A COLLINSVILLE AL 35961-0000
MORIARTY	PATRICK A 2802 ROCKINGHAM DAVENPORT IA 52802-0000	MYRLAND	MARVYL H BADGER IA 50516-0000
MORRIS	IVAN O PO BOX 67 BONITA LA 71223-0000	N E ENGLAND	
MORRIS	PATRICIA PO BOX 355 SPRING HILL KS 66083-0000	Nelson & Nelson	
MORRISON	REEVES 64 WATERSIDE LN WEST HARTFORD CT 06107-0000	NATIONAL CASUALTY	
MOSS	STEVEN BOX 262 IRON RIVER MI 49935-0000	NATIONAL CASUALTY CO	
MOZEY	DAVID DWAYNE 835 E COSTILLA COLORADO SPRING CO 80903-0000	NATIONAL INVESTORS FIRE & CASUALTY INS	
MULLENBURG	DEL 17 E MAXWELTON DR DES MOINES IA 50315-4106	NATIONAL UNION FIRE INS	
MUNS	ALBERT C 201 44TH STREET N E FORT PAYNE AL 35967-0000	NATIONAL UNION FIRE INS CO	
MURDOCK	JULIETTE B CANADA FA 00000-0000	NATL UNION FIRE INS OF PITTSBURGH PA	
			1000 SHELTER ROCK RD DANBURY CT 06810-0000
			2124 RACE ST PHILADELPHIA PA 19103-0000
			301 5TH AVENUE PITTSBURGH PA 15222-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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NEETHY J X WALY	15919 W TEN MILE ROAD SOUTHFIELD	MI	48075-0000
NEVINS	WAYNE H PO BOX 2760 CEDAR RAPIDS	IA	52406-0000
NGS INC	PO BOX 7676 CLAIR SHORES	MI	48081-0000
NICARAGUA MACHINERY	NICARAGA	FA	00000-0000
NICE	TRESA L 2212 FILER AVE E TWIN FALLS	ID	83301-0000
NIEHOFF	DENNIS D 4359 QUAIL CREEK RD MARTINEZ	GA	30907-0000
NIEHOFF	JANET C 4359 QUAIL CREEK RD MARTINEZ	GA	30907-0000
NJ REST ASSCN	1099 WALL ST WEST LYNHURST	NJ	07071-0000
NORDT	FRANK J 3360 SW HAMILTON CT PORTLAND	OR	97201-1257
NORDT	KIRSTEN 3360 SW HAMILTON CT PORTLAND	OR	97201-1257
NORLAND CORPORATION	CEDAR RAPIDS	IA	00000-0000
NORTHERN GROUP SERV	BOX 7676 ST CLARE SHORES	MI	48080-0000
NORTHWESTERN NATIONAL LIF	5900 PRINCESS GARDEN PKWY SUITE 500 LANHAM	MD	20706-0000
NORTON	DEBORAH L PO BOX 966 LONE GROVE	OK	73443-0000
NORTON	RONNY PO BOX 966 LONE GROVE	OK	73443-0000

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Oilfield Service & RepairCo	PO Box 66 Harvey	LA	70058-0000
OATES	JAMES D 2342 DUCK LAKE RD HIGHLAND	MI	48031-0000
OBLANDER	A M 4120 CHATEAU BLVD KEMNER	LA	70065-0000
OFFICE MOVERS INC	3335 75TH AVE LANDOVER	MD	20785-0000
OHLENDORF	WILMA 1111 28TH STREET SIOUX CITY	IA	51104-0000
OLIVIO	ALVILDA 132 STONE ST NEWARK	NJ	07104-0000
ONEILL	NELDA C OTTUMWA	IA	00000-0000
ORNITHOLOGICAL SOCIETIES OF N AMERICA	PO BOX 1897 LAWRENCE	KS	66044-0000
OTTO & OTTO ATTYS	3144 DAVENPORT STREET SAGINAW	MI	48602-0000
PACIFIC INDEMNITY CO	700 N E MULTNOMAH STREET PORTLAND	OR	97232-0000
PACRS PRUDENTIAL INS COMPANY	56 NORTH LIVINGSTON AVENUE ROSELAND	NJ	07068-0000
PAGE	EDWAR J 6969 L 5 LANE ESCANABA	MI	49829-0000
PAGIANITE	FRANK A 30 CLINTON ROAD WEST CALDWELL	NJ	07006-0000
PARRISH	BERNARD P 307 COMAGH SUMARNA	GA	30080-0000
PASCARELLA	CAROLYN FRICK BUILDING PITTSBURGH	PA	15219-0000

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PATEL SP	SUMANTBHAI	G LONDON ENG	FA 00000-0000	PHILLIPS	JAMES	W 12805 EAST 13TH STREET AURORA	CO 80011-0000
PAUL MOSER JR ATTY		801 INSURANCE EXCHANGE BLDG DES MOINES	IA 50309-0000	PHILLIPS	JOHN	H APT 303 NEW ORLEANS	LA 70125-2540
PAULEY	BETH	3183 MAIN STREET BRIDGEPORT	CT 06606-0000	PHILLIPS FOOD 4 LESS		PO BOX 989 BENTONVILLE	AR 72712-0000
PAYTON	STEPHEN	4025 N MERIDIAN OKLAHOMA CITY	OK 73112-0000	PIERRE	ERNEST	J 14030 KINGSWOOD DRIVE NEW ORLEANS	LA 70128-0000
PEANY	TIP	VIENA	GA 31092-0000	PINON	DIRK	301 LARAMIE GILLETTE	WY 00000-0000
PENDLETON	LAIRD	P TUST DEPT ACCT 21888 WILMINGTON	DE 19899-0000	PIPING AND EQUIPMENT CO		PO BOX 1377 CONYERS	GA 30207-0000
PENN	HENRY	C 1619 W EUCLID DETROIT	MI 48206-0000	PITLEY	GEORGE	J 4378 BEACHNUT COURT ROSWELL	GA 30075-0000
PERRY DRUG STORES		PO BOX 56020 PONTIAC	MI 48056-0000	POE	C	796 ISENBERG STREET A14B HONOLULU	HI 96826-0000
PETERS	PATRICK ELGIN	ISRAEL	FA 00000-0000	PORTER	JERRY	1003 YOUNGSTOWN DR HAGERSTOWN	MD 21740-0000
PETERSON	EDWIN	3255 S PARKER BUILDING 1 AURORA	CO 80014-0000	POSTAL INSTANT PRESS PRINTING		9707 W COLFAX LAKEWOOD	CO 00000-0000
PETERSON	NANCY	L 41401 N HAIRSTON RD STONE MOUNTAIN	GA 30083-0000	POTTER	TIMOTHY	7280 SOUTHWEST 104TH BEAVERTON	OR 97005-0000
PETERSON	ROGER	831 6TH AVE SO CLINTON	IA 52732-0000	POVALSKI	ALEXANDER	J 549 SUMMIT AVENUE JERSEY CITY	NJ 07306-0000
PHARMACIA INC		PO BOX 18191 NEWARK	NJ 07191-0000	POWELL	DUANE	1517 N AVENUE NW CEDAR RAPIDS	IA 52405-0000
PHILADELPHIA CAN COMPANY		PHILADELPHIA	PA 00000-0000	PREFERRED RISK INS CO		15919 W TEN MILE ROAD SOUTHFIELD	MI 48075-0000
PHILLIPS	ALEASE	625 BRENTWOOD DR W BURLINGTON	IA 52655-1505	PRINCIPAL MUTUAL LIFE INSCO		711 HIGH STREET DES PLAINES	IA 50309-0000



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PRISKE	ROBERT D PO BOX 1208 HONOLULU	RAASCH	CURTIS R R 2 ODEBOLT
PRITCHARD & BAIRD INC	299 MADISON AVENUE MORRISTOWN	RABALAID MOTRO FREIGHT LINE INC	701 Poydras St New Orleans
PROVIDENT CLAIM OFFICE	3RD FLOOR BLOOMFIELD	RADISSON HOTEL ATLANTA	165 COURTLAND AND INTERNATIONAL BLVD ATLANTA
PROVIDENT LIFE INS	300 BROADMORE DR BLOOMFIELD	RAFAILL	D 7363 EDINBOROUGH SPRINGFIELD
PRUDENTIAL INC	PRUDENTIAL PLAZA HEALTH CLAIMS MANAG NEWART	RAFFERTY	WILLIAM J 2837 PARKSIDE DR EDMOND
PRUDENTIAL INS CO	PO BOX 475 ISELIN	RAINEY	JOHN M 18305 WILDEMERE DETROIT
PRUDENTIAL INS CO	PO BOX 727 MEMPHIS	RAKESTRAW	SUSAN C 23 SUGAR KNOLL DEVON
PRUDENTIAL INS CO	PO BOX 936 HARSHAM	RALEIGH NORTHSIDE REALTY CO	SUITE 522 GUARANTEE TRUST BUILDING ATLANTIC CITY
PRUDENTIAL INS CO	8568 LAURELDALE LAUREL	RANSON	RUBY 2100 Tulane Ave New Orleans
PRUDENTIAL INSURANCE	PO BOX 450475 TULSA	RAUTINE	DON E 275 ORIENT WAY LINDHURST
PRUDENTIAL INSURANCE ARA HEALTH	PO BOX 937 HORSHAM	RAYMOND	REGINALD 401 CALHOUN ST MOBILE
PRUDENTIAL INSURANCE CO	1875 CENTURY BLVD 2A ATLANTA	REAGAN	W 609 CHEROKEE CRT DAVENPORT
PRUDENTIAL INSURANCE COMPANY	PO BOX 700 FORT WASHINGTON	REGENBAUM	KENNETH P 772 GREENFIELD AVE APT A28 PITTSBURG
PRUDENTIAL MUTUAL FUND SERVICES	PO BOX 15080 NEW BRUNSWICK	REGENBAUM	WILLIAM 772 GREENFIELD AVE APT A28 PITTSBURG
QUEEN	JAMES C 17 E POPLAR LN INDIAN HEAD	REGISTRAR	5530 WISCONSIN AVE BETHESDA

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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REICH	ROBERT	J 2417 CYPRESS COURT EDMOND	OK	73013-0000
REID	DAVID	26 WOODLAND AVE BUTLER	NJ	07405-0000
REUTER LTD		CANADA	FA	00000-0000
RICCA	C	136 RIVER DR LAKE HIAWATHA	NJ	07034-0000
RIECKER	JOHN	3211 VALLEY DRIVE MIDLAND	MI	48640-0000
RIGG	LOUISE	M 101 CALLE B RAMEY	PR	00604-0000
RM ELECTRONICS		4310 ROGER B CHAFFE BLVD GRAND RAPIDS	MI	49508-0000
ROBERT JAY FULTON SR TRUST		2749 STEAMBOAT SPRINGS ROCHESTER	MI	48063-0000
ROBINSON	LOIS	J STATE CENTER	IA	50247-0000
ROBINSON	RAY	G STATE CENTER	IA	50247-0000
ROCCA	PATRICK	E BOX 3083 FT MEADE	MD	20755-0000
ROCKY MOUNTAIN GENERAL AGENCY INC		PO BOX 87 BRIDGER	MT	59014-0000
RODGERS	ERNESTINE	1711 PENDELTON MEMPHIS	TN	38100-0000
RODRIGUEZ	JOHN	79 W CENTRAL AVE BERGENFIELD	NJ	07621-0000
ROGERS	CHRISTINE	AUSTRALIA	FA	00000-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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ROGERS ROGERS & JONES A TTYS		117 E 5TH STREET TULSA CLUB BUILDING TULSA	OK	74103-0000
RORISON	AUDREY	J 407 S 17TH COEUR DALENE	ID	83814-0000
ROSAS	MELISA	M 204 COLONY DR DAVENPORT	IA	52806-0000
ROSS	MICHAEL	5037 FLORENCE AVENUE 2ND FLOOR PHILADELPHIA	PA	19143-0000
RUNNELS	RUBY	570 FOURTH NAT L BANK BLDG WICHITA	KS	67202-0000
RUSH	WALTER	E 910 WEST STREET LANSING	MI	48915-0000
RUTH	COVINGTON	3476 WOODS DRIVE DECATUR	GA	30032-0000
SAARI	PETER	5 HAMPTON CT JERSEY CITY	NJ	07302-0000
SALAMON	ABRAHAM	BOX 504 FRENCHTOWN	NJ	08825-0504
SAM S WHOLESALE CLUB		BENTONVILLE	AR	72716-0000
SAMUEL JACOBS DISTRIBUTORS INC		1955 W HUNTING PARK AVENUE PHILADELPHIA	PA	19140-0000
SAND	CHARLES	L PO BOX 25508 COLORADO SPRINGS	CO	80936-0000
SANDER	DONNA	L 1905 HALLAM AVE COLORADO SPRINGS	CO	80911-1041
SANT	KAREN	20 MELCON DR SOUTHINGTON	CT	06489-0000
SCHELL	DALE	E 168 CLUB COURSE DRIVE HILTON HEAD ISL	SC	29928-0000

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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SCHRECKER	MICHAEL	208 WEST FRANKLIN ELDRIDGE	IA 00000-0000	SIDDLE	HERBERT	W 5300 SO GREENWOOD ST LITTLETON	CO 80120-1415
SCHUBERT	HOWARD	C 406 HAZLIIT AVE LEONIA	NJ 07601-0000	SIDDLE	MERI	A 5300 SO GREENWOOD ST LITTLETON	CO 80120-1415
SCHWANZ	CAROL JO	PO BOX 173 HANSEN	ID 83334-0000	SIEGEL	ALAN	3333 UNIVERSITY BLDV KENSINGTON	MD 20895-0000
SCHWANZ	EDMOND	C PO BOX 173 HANSEN	ID 83334-0000	SIMMS	JAMES	A S WEST MEMPHIS	AK 72301-0000
SCOTT	ROBERT	D 224 COLEMAN AVE LONGBRANCH	NJ 07740-0000	SIMS	SAVANNAH	2321 N PIATT AVE WICHITA	KS 67219-0000
SCOTT POLISHING INC		10 PARSONAGE ROAD P O BOX 2260 EDISON	NJ 08817-0000	SINGH	BIBHA	K 2905 N MICHIGAN AVE DAVENPORT	IA 52804-1137
SCROGGS	A	A PO Box 1526 Houma	LA 70360-0000	SIRIBHADRA	PUERNUN	SUNSET DRIVE GREENSBURG	PA 15601-0000
SELLES	DIDIER	FRANCE	FA 00000-0000	SISK	MARTHA	J RTE 1 AIRPORT RD TWIN FALLS	ID 83301-0000
SERVICE MERCHANDISE		PO BOX 25070 NASHVILLE	TN 37202-0000	SKAHILL	FRED	BOX 219 NEWTON	IA 50208-0000
SEXTON	CELESTINE	RURAL ROUTE 1 DANBURY	IA 51019-0000	SMITH	CHARLES	ROUTE 2 BOX 625 BUSH	LA 70431-0000
SHADY GROVE DIALYSIS CTR		14915 BROSCARD RD ROCKVILLE	MD 20850-0000	SMITH	DARLENE	3105 WILLOW OAK 3 MEMPHIS	TN 38128-0000
SHAPIRO	HOWARD	60 WEST BIG BEAVER RD BIRMINGHAM	MI 48008-0000	SMITH	FOSTER	D VENEZUELA	FA 00000-0000
SHEPARD	DONALD	E 1700 TRAVELERS TOWER SOUTHFIELD	MI 48076-0000	SMITH	RICHARD	415 TIMOTHY COURT GILLETTE	WY 82716-0000
SHNL CORP		56 DOWNING STREET NEWARK	NJ 07105-0000	SMITH	SCOTT	E 106 KNOLLWOOD COUNCIL BLUFFS	IA 51501-0000
SHUCKER	IRA	258 FIELDING LANE ATLANTA	GA 30311-0000	SMITHER	JAMES	W 201 1ST AVE S APT A NITRO	WV 25143-0000



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SNOW	ANDREA	M	4200 ANTIETAM DRIVE BIRMINGHAM	AL	35213-0000	STEELSMITH	D	BOX 148 HANSEN	ID	83334-0000
SNOW	MARY	H	4200 ANTIETAM DRIVE BIRMINGHAM	AL	35213-0000	STOLLMAN	JEFFREY	PO BOX 592 NEDERLAND	CO	80466-0000
SNYDER	RUSSEL	C	314 W 4TH ST EMMETT	ID	83617-0000	STOUT	NEIL	P 104 DOGWOOD DR PERRY	GA	31069-0000
SOCKEY	DENNIS		31 5 TALL PINE DR LEWISTON	ME	04240-0000	STPHILIP	ANTHONY	5149 HIGHWAY 5 DOUGLASVILLE	GA	30135-0000
SOETE	LEA	D	5807 BERKSHIRE DETROIT	MI	48224-3207	STRANG	COURTNEY	A 37 WHIPPOORWILL RD BETHEL	CT	06801-2721
SOMERVILLE	CHERYL		110 N HILL DRIVE WEST HAMPTON	NJ	08046-0000	STRATFORD	HERBERT	576 HUNTER CREEK ROAD CODY	WY	00000-0000
SOUTHERN BELL			85 ANNEX ATLANTA	GA	30385-0000	STRATHER & FALTIS AND PUBLIC WORKS	MAGAZ 200 S BROADSTREET RIDGEWOOD		NJ	07451-0000
SPA HEALTH CLUBS			323 COURT HOUSE PITTSBURGH	PA	15219-0000	SULLIVAN	JAMES	BOX 125 SARATOGA	WY	82331-0000
SPOERI	JEANNE	M	FRANCE	FA	00000-0000	SUMMIT BLDG INC		PO Box 305 601 McDonough St Gretna	LA	00000-0000
SPRING	PAUL		3727 N E COUCH PORTLAND	OR	97232-0000	SUTTON	CLIFTON	C 38 CLAIRE DR BRIDGEWATER	NJ	08807-0000
SQUARE D CO			3700 6TH ST S W CEDAR RAPIDS	IA	00000-0000	SUTTON	IDA LOIS	D 38 CLAIRE DR BRIDGEWATER	NJ	08807-0000
ST ANTHONY HOSPITAL			PO BOX 205 OKLAHOMA CITY	OK	73102-0000	SWANSON	ELIZABETH	G MANITOBA CANADA ROG	FA	00000-0000
ST LUKES REG MED CTR HOSP			190 E BANNOCK ST BOISE	ID	83712-0000	SWANSON	LOIS	J 2878 FOREST RD DAVENPORT	IA	52503-0000
ST MARY S HOSPITAL			200 JEFFERSON SE GRAND RAPIDS	MI	49503-0000	SYTRON		RFD 1 PERIMETER ROAD LONDONERRY	NJ	03053-0000
STADACONA INVST CANADA LTD			CANADA	FA	00000-0000	SYVA		PO BOX 8500 S 4495 PHILADELPHIA	PA	19178-0000

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NOTICE OF PUBLIC INFORMATION			NOTICE OF PUBLIC INFORMATION		
STANLEY	RT 1 BOX 976 2 MILE ROAD IRVINGTON	AL 36544-0000	THOMAS RHODES & GRIGSBY ATTYS	323 COURT HOUSE PITTSBURGH	PA 15219-0000
TAKAHASHI	HARRIET	PO BOX 400 BLACKFOOT	JEANALDA	103 WASHINGTON STREET MORRISTOWN	STE 261 NJ 07960-0000
TAKAHASHI	MARY	PO BOX 400 BLACKFOOT	HOLLY	F 5393 SPOKANE DETROIT	MI 48204-0000
TANGGAARD	EDWARD	159 KENDALL DRIVE PARLIN	MICHAEL	S 12325 ALBROOK DRIVE DENVER	2503 CO 80239-0000
TANNER	FRANK	E PO BOX 02007 DOVER	NANCY	RR 1 NEVADA	IA 50201-0000
TATSCH	MARY	T SHERWOOD OAKS BOX 150 MARS	THOMSON RHODES & GRIGSBY ATTYS	1524 FRICK BUILDING PITTSBURGH	PA 15219-0000
TAYLOR	DORICE	N BOX 251 SUN VALLEY	THOMSON RHODES & GRIGSBY ATTYS	1724 FRICK BUILDING PITTSBURGH	PA 15219-0000
TAYLOR	EVERETT	B BOX 251 SUN VALLEY	EUGENE	8245 PARHAM CT SEVERN	MD 21144-0000
TELLINGHUSEN	DOUGLAS	L 6533 LAKESHORE PARKWAY CHATTANOOGA	TINLINGCHAN	134 DUVALL LANE GAITHERSBURG	MD 20760-0000
TELLINGHUSEN	JANICE	C 6533 LAKESHORE PARKWAY CHATTANOOGA	SAMUEL	R 309 10 MILE RD NE COMSTOCK PK	MI 49321-0000
TEMPLETON	RICHARD	1111 28TH STREET SIOUX CITY	JANET	318 WASHINGTON ST NORTH TWIN FALLS	ID 83301-0000
TENNESSEE INS GUARANTY ASS N	PO BOX 398 MURFREESBORO	TN 37130-0000	RICHARD	D 8545 PULASKI HWY BALTIMORE	MD 21237-0000
THAYER & ASSOC	PO BOX 2053 DAVENPORT	IA 52809-0000	WILMA FAY	2203 W 76TH STREET DAVENPORT	IA 52806-0000
THICO PLAN INC	10 PARSONAGE ROAD P O BOX EDISON	2260 NJ 08817-0000	TRAFFIC VICTIMS INDEMNITYFUND	COLUMBIA V6E 2S8	FA 00000-0000
THOMAS	PHILIP R	RR3 BOX 438 GORHAM	TRANS UNION CREDIT	PO BOX 8014 PLAINVILLE	CT 06062-0000

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TRAVELERS	PO BOX 4214 ATLANTA	GA 30302-0000
TULSA PAVING CO	1300 NAT L BANK OF TULSA BUILDING TULSA	OK 74103-0000
TURNER	KEVIN R 1276 CHALMERS DR BATTLE CREEK	MI 49017-0000
TYLER & CANHAM ATTYS	400 RENAISSANCE CENTER ROOM 1010 DETROIT	MI 48243-0000
UNION CARBIDE CORP	PO BOX 48 HAHNVILLE	LA 70057-0000
UNION MUTUAL STOCK INSURANCE	2211 CONGRESS STREET PORTLAND	ME 04122-0000
UNION SAVINGS BANK	DANBURY	CT 06810-0000
UNITED STATES INS CO	PO BOX 1581 NEPTUNE	NJ 07754-1581
UNITED STATES POSTMASTER	UNKNOWN ATLANTA	GA 30320-0000
UNIVERSITY OF MICHIGAN	BOX 057 ANN ARBOR	MI 48109-0000
USPC INC	12601 TWINBROOK PARKWAY ROCKVILLE	MD 20852-0000
VAIRA	PETER F PO BOX 1474 PHILADELPHIA	PA 19105-0000
VALLEY NATIONAL BANK	ROUTE 1 BOX 19 CHAMBERSBURG	PA 17201-0000
VANCE	JOSEPH W 444 MAIN STREET TIPTON	GA 31794-4816
VANDRUFF	BRUCE H PO BOX 35 RED OAK	IA 51566-0000

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VANDUNK	ROBERT	5 COLT ST PATTERSON	NJ 07505-0000
VANDYKE	PAUL	1542 LAKEWOOD BLVD HOLLAND	MI 49423-0000
VANETTEN	MICHELL	360 FRANK ADRAIN	MI 49221-0000
VANMETER	DEIMAR	B R 1 AMES	IA 50010-0000
VARNADO	C	7323 FRONTIER DR GREENWELL SPRING	LA 70739-0000
VASEY	WILLIAM	J PO BOX 755 HANNA	WY 82327-0000
VENSON	MARY	WEBBS LANE DOVER	DE 19901-0000
VERMONT RAILWAY		PO BOX 487 RUTLAND	VT 05701-0000
VIGLIANO	AIDA	40 PASSAIC AVENUE PASSAIC	NJ 07055-0000
VILLAGE OF TANGIPAHOA		PO BOX 727 TANGIPAHOA	LA 70465-0000
VILLARREALMILLAN	GLORIA	E 423 S XARIER ST DENVER	CO 80219-0000
VITA PASTRY CO		56 DOWNING STREET NEWARK	NJ 07105-0000
VSA MID ATLANTIC		PO BOX 417 PAULSBORO	NJ 08066-0000
Wright General Agency In c		PO Box 598 Bunkie	LA 00000-0000
WADE	MARTLYN	304 6TH STREET CORALVILLE	IA 52240-0000



DEPARTMENT OF FINANCIAL INSTITUTIONS		DEPARTMENT OF FINANCIAL INSTITUTIONS	
NOTICE OF PUBLIC INFORMATION		NOTICE OF PUBLIC INFORMATION	
WADE WILLIAM E ATTY	400 RENAISSANCE CENTER DETROIT MI 48243-0000	WHITE	ANN M 537 FNBC Bldg New Orleans LA 70112-0000
WALKER	GERTRUDE 10318 HAIGH DEARBORN MI 48124-0000	WHITE	CORINE 941 WILMOT COURT BALTIMORE MD 21202-0000
WARREN	ALICE F 3219 GRAVIER ST NEW ORLEANS LA 70119-0000	WHITE	FREDERICK P 537 FNBC Bldg New Orleans LA 70112-0000
WARREN CARDS & GIFTS INC	PO BOX 443 BLUE GRASS IA 52726-0443	WHITE	WILLIE 17260 PONTCHARTRAIN BOULEVARD DETROIT MI 48203-0000
WASHINGTON	TOMMY L 3511 FOX CLIFFE CT APT 201 RANDALLSTOWN MD 21133-0000	WHITE	WILLIS 17260 PONTCHARTRAIN BOULEVARD DETROIT MI 48203-0000
WASHINGTON	W 712 E GRAND AVE GAMBLINGS LA 71215-0000	WHITE	WILLIS 17260 PONTCHARTRAIN DRIVE DETROIT MI 48203-0000
WATTS	JOYCE M 753 MACARTHUR PLZ APT 56 OKLAHOMA CITY OK 73127-0000	WHITE	WILLIS E 17260 PONTCHARTRAIN DRIVE DETROIT MI 48203-0000
WATTS LOONEY NICHOLS & JOHNSONS ATTYS	219 COUCH DRIVE OKLAHOMA CITY OK 73102-0000	WHITTIER	MARGARET H RR 3 BOX 194 COLORADO SPRINGS CO 80907-0000
WECKLER	ALAN J 3801 MEADOWLAND BLVD COLORADO SPRINGS CO 80907-0000	WHITTIER	MARGARET T ROUTE 3 BOX 194 COLORADO SPRINGS CO 80907-0000
WEINER	ROBERT M 510 S W NOTTINGHAM DR ANKENY IA 50021-0000	WILKERSON FARM & GRAIN	PO BOX 32 A/C S53360 MANTER KS 67862-0000
WELCOME WAGON	PO BOX 1021 MEMPHIS TN 38101-0000	WILLADEAN COLINAS	700 N E MULTNOMAH STREET PORTLAND OR 97232-0000
WELLS	JAMES E 2007 W 48TH ST ANCHORAGE AK 99503-0000	WILLIAM C JOHANNES TRUST	407 S 17TH COEUR DALENE ID 83814-0000
WEST MICHIGAN REPORTING	72 RANSOM NE GRAND RAPIDS MI 49503-0000	WILLIAMS ALONZO	1716 SWARRUN RD LANCASTER PA 17601-0000
WESTINGHOUSE ELECTRIC	PO BOX 79 WEST MIFFLIN PA 15122-0000	WILLIAMS DONNA	O 210 TOTEM PLACE WILLIAMSTON NJ 08094-0000
WESTMONT COUNTRY CLUB	11 COMMERCE ST NEWARK NJ 07006-0000	WILLIAMS FRANKLIN	B 507 GOLDMAN ST NORTH AUGUSTA SC 29841-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS			DEPARTMENT OF FINANCIAL INSTITUTIONS		
NOTICE OF PUBLIC INFORMATION			NOTICE OF PUBLIC INFORMATION		
WILSON	GERALD	1425 EASTLAND RD APT 14 ATLANTA GA	30316-0000	YURON EQUIPMENT INC	2020 EAST THIRD STREET ANCHORAGE AK
WILSON	HENRY	G 2408 RALEIGH DRIVE LANCASTER PA	17601-2948	ZEGANS	LEONARD S 184 RIDGEWOOD AVE HAMDEN CT
WILSON	ROBERT	1221 HARSHAW RD BROOKHAVEN PA	19015-0000	ZIEGLER	JOHN W 26789 WOODWARD AVENUE HUNTINGTON WOODS MI
WINCHELL	D	E 4080 WOODLAND DRIVE KENNESAW GA	30144-0000	ZUCHELLI	DONALD R PO BOX 1790 ANNAPOLIS MD
WITTROCH	MAURICE	T 408 MICHIGAN STREET STORM LAKE IA	50588-0000		
WIX	MELANIE	A 210 SENATE AVENUE APT 409 CAMP HILL PA	17011-0000		
WOLPE	ALLEN	M 4321 HARTWICK ROAD SUITE L200 COLLEGE PARK MD	20740-0000		
WOOD WARD & FONDILIER INC		PO BOX 1207 TRENTON NJ	08607-0000		
WOODS	THOMAS	J 4809 FAIRVIEW BOISE ID	83706-0000		
WOODWORTH	DONALD	D TUST DEPT ACCT 21888 WILMINGTON DE	19899-0000		
WOODWORTH	KERRY	P TUST DEPT ACCT 21888 WILMINGTON DE	19899-0000		
WRIGHT	NANCY	J 1198 JACOBSBURG RD WIND GAP PA	18091-9504		
WUNDER	FRED	K RR 1 ROCKVALE TN	37153-9801		
WUNDER	LINDA	RR 1 ROCKVALE TN	37153-9801		
YOUNG	HERMAN	2002 WEST HOLLINS STREET BALTIMORE MD	21223-0000		

**JOINT COMMITTEE ON ADMINISTRATIVE RULES  
STRATTON OFFICE BUILDING**

ROOM C-1  
SPRINGFIELD, ILLINOIS  
10:00 A.M.

October 12, 1993

**NOTICE:** It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules  
700 Stratton Building  
Springfield, Illinois 62706

AGENDA

**I. Approval of September 14, 1993 Minutes**

**II. Review of Proposed Agency Rulemaking**

Conservation

1. Possession of Specimens or Products of Endangered or Threatened Species (17 Ill Adm Code 1070)
  - First Notice Published: 17 Ill Reg 12041 - 7/30/93
  - Expiration of Second Notice Period: 11/4/93
2. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver and Woodchuck (Groundhog) (17 Ill Adm Code 570)
  - First Notice Published: 17 Ill Reg 12038 - 7/30/93
  - Expiration of Second Notice Period: 11/4/93
3. White-Tailed Deer Hunting Season by Use of Handguns (17 Ill Adm Code 680)
  - First Notice Published: 17 Ill Reg 12055 - 7/30/93
  - Expiration of Second Notice Period: 11/4/93

Financial Institutions

4. Schedules of Maximum Rates to be Charged for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges (38 Ill Adm Code 130)
  - First Notice Published: 17 Ill Reg 6929 - 5/14/93
  - Expiration of Second Notice Period: 10/15/93

Mines and Minerals

5. The Illinois Oil and Gas Act (62 Ill Adm Code 240)
  - First Notice Published: 16 Ill Reg 19440 - 12/18/92
  - Expiration of Second Notice Period: 10/15/93

Public Aid

6. Special Eligibility Groups (89 Ill Adm Code 118)
  - First Notice Published: 17 Ill Reg 10751 - 7/16/93
  - Expiration of Second Notice Period: 11/10/93

Public Health

7. Supportive Residences Licensing Code (77 Ill Adm Code 385)
  - First Notice Published: 16 Ill Reg 20061 - 12/28/92
  - Expiration of Second Notice Period: 10/14/93

8. Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill Adm Code 350)
  - First Notice Published: 17 Ill Reg 10144 - 7/9/93
  - Expiration of Second Notice Period: 11/6/93

9. Sheltered Care Facilities Code (77 Ill Adm Code 330)
  - First Notice Published: 17 Ill Reg 10198 - 7/9/93
  - Expiration of Second Notice Period: 11/6/93

10. Skilled Nursing and Intermediate Care Facilities Code (77 Ill Adm Code 300)
  - First Notice Published: 17 Ill Reg 10225 - 7/9/93
  - Expiration of Second Notice Period: 11/6/93

11. Long-Term Care for Under Age 22 Facilities Code (77 Ill Adm Code 390)
  - First Notice Published: 17 Ill Reg 10171 - 7/9/93
  - Expiration of Second Notice Period: 11/6/93



12. Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill Adm Code 350)
  - First Notice Published: 17 Ill Reg 8781 - 6/18/93
  - Expiration of Second Notice Period: 11/6/93
13. Minimum Standards for the Licensure of Community Living Facilities (77 Ill Adm Code 370)
  - First Notice Published: 17 Ill Reg 8793 - 6/18/93
  - Expiration of Second Notice Period: 11/6/93
- Racing Board
14. Stewards (11 Ill Adm Code 1402)
  - First Notice Published: 17 Ill Reg 11372 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
15. Licensing (11 Ill Adm Code 502)
  - First Notice Published: 17 Ill Reg 11367 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
16. Rules of the Race (11 Ill Adm Code 1416)
  - First Notice Published: 17 Ill Reg 12274 - 7/30/93
  - Expiration of Second Notice Period: 10/29/93
17. Racing Rules (11 Ill Adm Code 1318)
  - First Notice Published: 17 Ill Reg 12271 - 7/30/93
  - Expiration of Second Notice Period: 10/29/93

Rehabilitation Services

18. Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs (89 Ill Adm Code 530)
  - First Notice Published: 17 Ill Reg 11394 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
19. Repeal of Eligibility (89 Ill Adm Code 552)
  - First Notice Published: 17 Ill Reg 11396 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
20. Advisory Councils (89 Ill Adm Code 515)
  - First Notice Published: 17 Ill Reg 11378 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93

21. Repeal of Training Services (89 Ill Adm Code 592)
  - First Notice Published: 17 Ill Reg 11422 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
22. Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill Adm Code 553)
  - First Notice Published: 17 Ill Reg 11384 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
23. Impartial Hearing Officer Standards (89 Ill Adm Code 1177)
  - First Notice Published: 17 Ill Reg 11400 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
24. Client Financial Participation (89 Ill Adm Code 562)
  - First Notice Published: 17 Ill Reg 11388 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
25. Application (89 Ill Adm Code 557)
  - First Notice Published: 17 Ill Reg 11382 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
26. Individualized Written Rehabilitation Program (IWRP) (89 Ill Adm Code 572)
  - First Notice Published: 17 Ill Reg 11402 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
27. Comparable Benefits (89 Ill Adm Code 567)
  - First Notice Published: 17 Ill Reg 11392 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
28. Services (89 Ill Adm Code 590)
  - First Notice Published: 17 Ill Reg 11416 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
29. Repeal of Medical, Psychological, and Related Services (89 Ill Adm Code 587)
  - First Notice Published: 17 Ill Reg 11406 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
30. Repeal of Maintenance (89 Ill Adm Code 602)
  - First Notice Published: 17 Ill Reg 11404 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93

31. Appeals and Hearings (89 Ill Adm Code 510)
  - First Notice Published: 17 Ill Reg 11380 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
32. Illinois Center for Rehabilitation and Education/Community Residential Services for the Blind and Visually Impaired (89 Ill Adm Code 730)
  - First Notice Published: 17 Ill Reg 11398 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
33. Repeal of Secondary Transitional Experience (89 Ill Adm Code 657)
  - First Notice Published: 17 Ill Reg 11414 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
34. Repeal of Other Services (89 Ill Adm Code 607)
  - First Notice Published: 17 Ill Reg 11408 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
35. Repeal of Post-Employment Services (89 Ill Adm Code 622)
  - First Notice Published: 17 Ill Reg 11412 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
36. Closure (89 Ill Adm Code 617)
  - First Notice Published: 17 Ill Reg 11390 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
37. Repeal of Placement (89 Ill Adm Code 612)
  - First Notice Published: 17 Ill Reg 11410 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
38. Tools, Equipment, Supplies and Initial Stock (89 Ill Adm Code 597)
  - First Notice Published: 17 Ill Reg 11420 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
39. Repeal of Auxiliary Aids (89 Ill Adm Code 540)
  - First Notice Published: 17 Ill Reg 11386 - 7/23/93
  - Expiration of Second Notice Period: 10/23/93
- Secretary of State
40. The Illinois Library System Act (23 Ill Adm Code 3030)
  - First Notice Published: 17 Ill Reg 9678 - 6/25/93
  - Expiration of Second Notice Period: 11/10/93

41. Rates to be Charged by Official Testing Stations for Second Division Vehicles Other Than School Buses (92 Ill Adm Code 454)
  - First Notice Published: 17 Ill Reg 12278 - 7/30/93
  - Expiration of Second Notice Period: 11/10/93
- III. **Certification of No Objection to Proposed Rulemaking**
- IV. **Review of Emergency and Peremptory Rulemakings**
- Agriculture
42. Meat & Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)
  - Notice Published: 17 Ill Reg 15725 - 9/24/93
43. Meat and Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)
  - Notice Published: 17 Ill Reg 16238 - 10/1/93
- Central Management Services
44. Pay Plan (80 Ill Adm Code 310) (Emergency)
  - Notice Published: 17 Ill Reg 14666 - 9/10/93
45. Acquisition, Management & Disposal of Real Property (44 Ill Adm Code 5000) (Emergency)
  - Notice Published: 17 Ill Reg 15653 - 9/24/93
- Children and Family Services
46. Reports of Child Abuse & Neglect (89 Ill Adm Code 300) (Emergency)
  - Notice Published: 17 Ill Reg 15658 - 9/24/93
- Corrections
47. Assignment of Committed Persons (20 Ill Adm Code 420) (Emergency)
  - Notice Published: 17 Ill Reg 16208 - 10/1/93
48. Impact Incarceration Program (20 Ill Adm Code 460) (Emergency)
  - Notice Published: 17 Ill Reg 16212 - 10/1/93
49. Records of Committed Persons (20 Ill Adm Code 107) (Emergency)
  - Notice Published: 17 Ill Reg 16215 - 10/1/93

50. School District #428 (20 Ill Adm Code 405) (Emergency)  
-Notice Published: 17 Ill Reg 16227 - 10/1/93

#### Nuclear Safety

51. Safe Operation of Nuclear Facility Boilers & Pressure Vessels (32 Ill Adm Code 505) (Emergency)  
-Notice Published: 17 Ill Reg 15667 - 9/24/93

#### Public Aid

52. Developmental Disabilities Service (89 Ill Adm Code 144) (Emergency)  
-Notice Published: 17 Ill Reg 15126 - 9/17/93

53. Food Stamps (89 Ill Adm Code 121) (Emergency)  
-Notice Published: 17 Ill Reg 15149 - 9/17/93

54. Medical Payment (89 Ill Adm Code 140) (Emergency)  
-Notice Published: 17 Ill Reg 15162 - 9/17/93

55. Reimbursement For Nursing Costs for Geriatric Facilities (89 Ill Adm Code 147) (Emergency)  
-Notice Published: 17 Ill Reg 15189 - 9/17/93

### **V. Exempt Rulemakings**

#### Pollution Control Board

56. Hazardous Waste Injection Restrictions (35 Ill Adm Code 738)

-Proposed Date: 6/11/93  
-Adopted Date: 9/14/93

57. Underground Injection Control Operating Requirements (35 Ill Adm Code 730)

-Proposed Date: 6/11/93  
-Adopted Date: 9/14/93

### **VI. Agency Response**

#### Carnival Amusement Safety Board

58. Carnival and Amusement Ride Inspection Law (56 Ill Adm Code 6000)

-First Published: 4/2/93  
-Recommendation Date: 8/17/93  
-Response: Agreement

### JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY

#### SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 22, 1993 through September 28, 1993, and have been scheduled for review by the Committee at its October 12, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
11/6/93	Department of Public Health, Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill Adm Code 350)	7/9/93 17 Ill Reg 10144	10/12/93
11/6/93	Department of Public Health, Sheltered Care Facilities Code (77 Ill Adm Code 330)	7/9/93 17 Ill Reg 10198	10/12/93
11/6/93	Department of Public Health, Skilled Nursing and Intermediate Care Facilities Code (77 Ill Adm Code 300)	7/9/93 17 Ill Reg 10225	10/12/93
11/6/93	Department of Public Health, Long-Term Care for Under Age 22 Facilities Code (77 Ill Adm Code 390)	7/9/93 17 Ill Reg 10171	10/12/93
11/6/93	Department of Public Health, Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill Adm Code 350)	6/18/93 17 Ill Reg 8781	10/12/93
11/6/93	Department of Public Health, Minimum Standards for the Licensure of Community Living Facilities (77 Ill Adm Code 370)	6/18/93 17 Ill Reg 8793	10/12/93
11/10/93	Department of Public Aid, Special Eligibility Groups (89 Ill Adm Code 118)	7/16/93 17 Ill Reg 10751	10/12/93



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

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<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
11/10/93	Department of Transportation, Rates to be Charged by Official Testing Stations for Second Division Vehicles Other Than School Buses (92 Ill Adm Code 454)	7/30/93 17 Ill Reg 12278	10/12/93
11/10/93	Secretary of State, The Illinois Library System Act (23 Ill Adm Code 3030)	6/25/93 17 Ill Reg 9678	10/12/93

PROCLAMATION

93-430  
BIOMEDICAL SCIENCES APPRECIATION WEEK

Whereas, 1993 represents the 40th anniversary of the discovery of the structure of DNA by James D. Watson, Francis Crick, and Maurice Wilkins, representing a momentous event in the biomedical revolution of the 20th century; and

Whereas, the New York Academy of Sciences, the University of Illinois at Chicago, and Green College of the University of Oxford are sponsoring an international landmark meeting in Chicago from October 14 through 16, 1993, to celebrate this event; and

Whereas, James Dewey Watson, the co-discoverer of the structure of DNA and nobel laureate was born in Chicago on April 6, 1928, and is thereby a citizen of the City of Chicago and the State of Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 10-17, 1993, as BIOMEDICAL SCIENCES APPRECIATION WEEK in Illinois in recognition of this historic meeting and the impact of the biomedical sciences on our citizens.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

93-431

FUTURES AND OPTIONS WEEK

Whereas, approximately half of all futures and options trades are made in Chicago, the futures industry's world capital; and  
Whereas, global businesses of all types use futures and options routinely as the best means to manage the risk intrinsic to all economic activity; and

Whereas, global technical expertise provided by Chicago's futures exchanges in Asia, Eastern Europe, and Latin America have only solidified city's status as a global center for risk and asset management; and

Whereas, in our own state, Chicago's futures exchanges are vital to economic development, drawing investment capital from every corner of the globe to Illinois, while generating trades worth some \$100 trillion annually; and

Whereas, the Futures Industry Association will hold its annual exposition, "Futures and Options Expo '93," in Chicago during the week of October 31, 1993;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 31-November 6, 1993, as FUTURES AND OPTIONS WEEK in Illinois.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-432

## GIFT FROM THE HEART FOUNDATION DAY

Whereas, Gift From the Heart Foundation is a charitable organization headquartered in Chicago, which assists children with orthopedic and cardiovascular illnesses internationally and was started in 1988 by Krystyna B. Pasek; and

Whereas, Gift From the Heart Foundation provides food, lodging, transportation, and interpreters for children and their parents seeking medical care in the United States, in addition to purchasing rehabilitation equipment and providing information on available medical care for children in Eastern Europe and the United States; and

Whereas, over the last five years, Gift From The Heart Foundation has sponsored more than 150 children and their family members, and it is the Foundation's goal to build a Rehabilitation Center in Chicago for children recovering from medical procedures and treatment;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 9, 1993, as GIFT FROM THE HEART FOUNDATION DAY in Illinois.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-433

## MOTHERS OF TWINS WEEK

Whereas, for 31 years, the Mothers of Twins Club, a national organization, has offered support to parents who face one of life's more unique situations; and

Whereas, the club focuses on bringing together parents, educators, and physicians to exchange information on the rearing, development, and recognition of the individuality of twins; and

Whereas, the club is hosting its 31st annual convention October 15-16, 1993, in Gurnee, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 10-16, 1993, as MOTHERS OF TWINS WEEK in Illinois.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-434

## REFUGEE DAY

Whereas, the United States has long been a symbol of hope and a source of substantial aid for refugees around the world; and

Whereas, the arrival of approximately 7,000 in Illinois during the past years has placed Illinois among the top five

refugee-receiving states in the nation; and

Whereas, the Illinois Department of Public Health has for fourteen years administered and coordinated health services for refugees at 11 local health screening centers throughout the state; and

Whereas, Illinois and the nation remain committed to assisting refugees and to contributing toward international relief efforts and will support the United Nations High Commissioner for Refugees; and

Whereas, the demise of communism and the triumph of democratic movements around the world have brought about an era of promise and opportunity. Heartened by this knowledge, let us build on the progress we have made so that all peoples might enjoy the blessings of the freedom and security in their respective homelands;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 30, 1993, as REFUGEE DAY in Illinois and encourage all Illinoisans to observe this day with appropriate programs, ceremonies, and activities.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-435

## RETT SYNDROME AWARENESS MONTH

Whereas, Rett Syndrome is a neurological disorder that affects young girls from many ethnic groups and is believed to be of genetic origin; and

Whereas, there is no known cause or cure for Rett Syndrome. The disorder is characterized by a loss of motor skills, an inability to communicate, and interference with regular physical movements; and

Whereas, Rett Syndrome afflicts thousands of females in the United States, hindering their lives and the lives of their families. These girls may eventually be confined to wheelchairs and have breathing abnormalities and seizures of muscle rigidity;

Whereas, the onset of Rett Syndrome can begin as early as six months of age, leaving the girls with severe developmental delays and requiring extensive physical assistance and care; and

Whereas, we should work to develop greater understanding, education, family support, respite care, and vocational opportunities for people with Rett Syndrome;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1993 as RETT SYNDROME AWARENESS MONTH in Illinois.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-436

## WATER QUALITY AWARENESS WEEK

Whereas, Illinoisans should learn more about the role of local wastewater facilities and what local communities are doing to protect water resources in Illinois; and

Whereas, a number of organizations are involved in the proper treatment and disposal of municipal and industrial wastewaters in the State of Illinois. The organizations include the Central States Water Pollution Control Association, the Illinois Water Pollution Control Association, the Illinois Association of Wastewater Agencies, the Lake Michigan Water Analysts, the Northern Illinois Water Analysts, and the Industrial Water and Waste Sewage Group; and

Whereas, members of these organizations plan to provide citizens with the opportunity to learn more about wastewater facilities by offering treatment plant tours and informative material and generating media coverage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 10-17, 1993, as WATER QUALITY AWARENESS WEEK in Illinois and urge Illinois citizens to seek a better understanding of water treatment facilities.

Issued by the Governor September 15, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-437

## DOMESTIC VIOLENCE AWARENESS MONTH

Whereas, in Illinois, more than 300,000 women are victims of domestic violence each year; and

Whereas, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, and social barriers; and

Whereas, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of battered women and their children who often suffer grave financial, physical, and psychological losses; and

Whereas, the crime of domestic violence violates an individual's privacy, dignity, and security, often leaving an imprint of fear and hostility; and

Whereas, the impact of domestic violence is wide-ranging, affecting our society as a whole;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1993 as DOMESTIC VIOLENCE AWARENESS MONTH in Illinois. I urge citizens to take part in working toward the elimination of personal and institutional violence against women.

Issued by the Governor September 20, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-438

## RADIOLOGIC TECHNOLOGISTS WEEK

Whereas, expanding health services and advancing knowledge are creating an ever-increasing demand for the services of qualified radiologic technologists; and

Whereas, radiologic technologists are concerned with the conservation of life and health and the prevention of diseases; and

Whereas, radiologic technology offers skilled and capable individuals an opportunity for leadership in the development of health programs and the personal satisfaction that comes from helping others; and

Whereas, the Illinois State Society of Radiologic Technologists is holding its 58th annual state conference September 29-October 2;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 29-October 2, 1993, as RADIOLOGIC TECHNOLOGISTS WEEK in Illinois.

Issued by the Governor September 20, 1993.

Filed with the Secretary of State September 24, 1993.

## 93-439

## STEEL RECYCLING MONTH

Whereas, the preservation and reuse of our natural resources has become a primary concern in our state; and

Whereas, the recycling industry in Illinois has made tremendous strides in the methods of collection, processing, and remanufacturing from these natural resources; and

Whereas, local governments have taken an active participatory role in conserving and recycling resources within their areas of control; and

Whereas, progressive encouragement of the recycling industry is in the state's best environmental and economic interests; and

Whereas, Illinois is recognized throughout our nation as a leader in recycling programs and must continue to stress the need for enhanced development of recycling programs and opportunities to maintain this leadership position; and

Whereas, steel makers rely on scrap steel to produce a high-quality and product; and

Whereas, the Steel Recycling Institute has actively worked to facilitate steel recycling and to educate Illinois' citizens about the environmental and economic benefits of recycling;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1993 as STEEL RECYCLING MONTH in Illinois and encourage all Illinoisans to promote and support the recycling of our precious resources.

Issued by the Governor September 20, 1993.



Filed with the Secretary of State September 24, 1993.

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## ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

- 4 Ill. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)  
 77 Ill. Adm. Code 2056 Driving Under the Influence Programs (P-4567/92; A-15917/92; RO-17493)  
 77 Ill. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-8599)  
 77 Ill. Adm. Code 2080 Triplicate Prescription Control Program (P-11367/92; O-16691/92; M-11872; A-11424)

## ATTORNEY GENERAL

- 4 Ill. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

## AUDITOR GENERAL

- 4 Ill. Adm. Code 1125 Americans With Disabilities Act Grievance Procedure (P-4523; A-11435)

## BANKS AND TRUST COMPANIES, COMMISSIONER OF

- 4 Ill. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

## CAPITAL DEVELOPMENT BOARD

- 4 Ill. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)  
 71 Ill. Adm. Code 500 Asbestos Abatement Authority Act Procedures (P-3917)

## CARNIVAL-AMUSEMENT SAFETY BOARD

- 56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-3922; RC-14185; A-14910)

## CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

- 44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006) (P-2105; A-10753) (E-2361) (P-15217) (E-15653)  
 80 Ill. Adm. Code 303 Conditions of Employment (P-19285/92; A-5587)  
 74 Ill. Adm. Code 900 Joint Rules of the Comptroller & the Dept. of Central Management Services: Prompt Payment (P-10677) (E-11168)  
 80 Ill. Adm. Code 2160 Local Government Health Plan (P-3577; A-11441)  
 80 Ill. Adm. Code 302 Merit & Fitness (P-17187/92; A-3169) (P-14788)  
 80 Ill. Adm. Code 310 Pay Plan (P-191; C-672; A-13409) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590) (P-14001/92; A-1819) (P-18139/92; A-6441) (P-7605) (P-12481) (E-12900) (P-13657) (E-13789) (P-14314) (E-14666)  
 80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-2449)  
 44 Ill. Adm. Code 1 Standard Procurement (P-12808/92; A-600) (P-3926; A-14576)

## CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

- 89 Ill. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)  
 89 Ill. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)  
 89 Ill. Adm. Code 434 Audits, Reviews & Investigations (P-7115)  
 89 Ill. Adm. Code 330 Child Custody Investigations & Supervision Related to Custodian or Visitation Judgements (P-1259; A-11457)  
 89 Ill. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553/92; A-259)  
 89 Ill. Adm. Code 354 Facility Amusement Funds (PR-8099)  
 89 Ill. Adm. Code 407 Licensing Standards for Day Care Centers (P-11955)  
 89 Ill. Adm. Code 406 Licensing Standards for Day Care Homes (P-11964)  
 89 Ill. Adm. Code 402 Licensing Standards for Foster Family Homes (P-11707/92; A-267)  
 89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-11976)

## ACTION CODES

- A - Adopted Rule  
 AR - Adopted Repealer  
 C - Notice of Corrections  
 CC - Codification Changes  
 E - Emergency Rule  
 ER - Emergency Repealer  
 M - Modification to meet JCAR objections  
 O - JCAR Statement of Objections  
 RQ - Request for Correction  
 EC - Expedited Corrections  
 P - Proposed Rule  
 PF - Prohibited Filing Order by JCAR\*  
 PP - Peremptory or Court Ordered Rules  
 PR - Proposed Repealer  
 R - Refusal to meet JCAR Objection  
 RC - Statement of Recommendation  
 S - Suspension ordered by JCAR  
 W - Withdrawal to meet JCAR Objections  
 \* Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

## ABANDONED MINED LANDS RECLAMATION COUNCIL

- 4 Ill. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

## AGING, DEPARTMENT ON

- 89 Ill. Adm. Code 240 Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090) (P-14225)  
 89 Ill. Adm. Code 220 General Programmatic Requirements (P-883; A-8472) (E-1179)

## AGRICULTURE, DEPARTMENT OF

- 4 Ill. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)  
 8 Ill. Adm. Code 110 Animal Diagnostic Laboratory Act (P-14717)  
 8 Ill. Adm. Code 75 Bovine Brucellosis (P-14728)  
 8 Ill. Adm. Code 257 Cooperative Groundwater Protection Program (P-14288)  
 8 Ill. Adm. Code 20 Definitions (P-14739)  
 8 Ill. Adm. Code 85 Diseased Animals (E-14052) (P-14747)  
 8 Ill. Adm. Code 65 Egg & Egg Products Act (P-527; A-6749)  
 8 Ill. Adm. Code 116 Equine Infectious Anemia Control (P-14761)  
 8 Ill. Adm. Code 700 Farm Preservation Act (P-9781)  
 8 Ill. Adm. Code 590 Feeder Swine Dealer Licensing (P-14765)  
 8 Ill. Adm. Code 115 III. Pseudorabies Control Act (E-5906) (P-6373; A-14006)  
 8 Ill. Adm. Code 256 Lawncare Wash Water & Rinsate Collection (P-14975/92; A-2189)  
 8 Ill. Adm. Code 40 Livestock Auction Markets (P-14769)  
 8 Ill. Adm. Code 610 Livestock Dealer Licensing (P-14775)  
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-2063) (PP-15725) (PP-16238)  
 8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs, III. (P-8347; W-13812)  
 8 Ill. Adm. Code 750 Sustainable Agriculture (P-1251; A-6965)  
 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (E-5910) (P-6377; A-14010) (P-14781)

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<b>CHILDREN AND FAMILY SERVICES, DEPARTMENT OF (CONT'D)</b>			<b>COMMERCIAL FISHING, DEPARTMENT OF</b>		
89 Ill. Adm. Code 378	Multiple Licensure (PR-7561/92; AR-272)		17 Ill. Adm. Code 530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-7138; A-15534)	
89 Ill. Adm. Code 356	Rate Setting (P-10679)		17 Ill. Adm. Code 830	Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177) (E-17263)	
89 Ill. Adm. Code 335	Relative Home Placement (P-6681) (P-12254/92; A-13420)		17 Ill. Adm. Code 950	Dog Training on Department-Owned or -Managed Sites (P-6390; A-13447)	
89 Ill. Adm. Code 300	Reports of Child Abuse (P-15218) (E-15658)		17 Ill. Adm. Code 730	Dove Hunting (P-4539; A-10761)	
89 Ill. Adm. Code 309	Review & Appeal Process (PR-7982/92; AR-1044)		17 Ill. Adm. Code 590	Duck, Goose & Coot Hunting (E-1658) (4554; A-16443)	
89 Ill. Adm. Code 337	Service Appeal Process (P-7999/92; A-1046)		17 Ill. Adm. Code 1536	Forestry Development Cost-Share Program (P-8107; A-16485)	
89 Ill. Adm. Code 302	Services Delivered by the Department (P-7565/92; A-274) (P-11979/92; A-11979) (P-2460) (E-2513)		17 Ill. Adm. Code 510	General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601; A-10775)	
89 Ill. Adm. Code 376	Standards for Department Facilities (PR-8104)		17 Ill. Adm. Code 1010	Ill. List of Endangered & Threatened Fauna (P-16273)	
<b>COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF</b>			17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-4608; A-10781) (P-16285)	
4 Ill. Adm. Code 575	Americans With Disabilities Act Grievance Procedure (A-14621/92; CC-1673)		17 Ill. Adm. Code 4000	Management of Nature Preserves (P-12005)	
47 Ill. Adm. Code 125	Emergency Community Services Homeless Grant Program (P-18879/92; A-6180)		17 Ill. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611; A-10785) (P-12038)	
47 Ill. Adm. Code 160	Emergency Shelter Grants Program (P-15747)		17 Ill. Adm. Code 220	North Point Marina (P-19993/92; A-6760)	
14 Ill. Adm. Code 520	Enterprise Zone Program (P-13691/92; A-1837) (P-9791)		17 Ill. Adm. Code 1070	Possession of Specimens or Products of Endangered or Threatened Species (P-12041)	
14 Ill. Adm. Code 510	Ill. Promotion Act Programs (P-14318)		17 Ill. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-4622; A-10795)	
47 Ill. Adm. Code 100	Low Income Home Energy Assistance Program (P-16707/92 A-3836)		17 Ill. Adm. Code 810	Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636; A-10806)	
56 Ill. Adm. Code 2600	Service Delivery System & State Responsibilities (P-7120/92; A-6483)		17 Ill. Adm. Code 690	Squirrel Hunting (P-4672; A-10842)	
1 Ill. Adm. Code 300	Small Business Impact Analysis Procedures (P-11391/92; A-1511)		17 Ill. Adm. Code 720	Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680; A-10850)	
47 Ill. Adm. Code 130	State Administration of the Ill. Neighborhood Corps Program (PR-1; A-7212)		17 Ill. Adm. Code 715	Taking of Wild Turkeys-Fall Gun Season (P-4689; A-10858)	
83 Ill. Adm. Code 745	Tariff Filings (P-10513/92; A-10258)		17 Ill. Adm. Code 710	Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)	
<b>COMMERCE COMMISSION, ILLINOIS</b>			17 Ill. Adm. Code 670	White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-286) (P-4698; A-13452)	
92 Ill. Adm. Code 1376	Accounting & Financial Record Requirements (P-8630)		17 Ill. Adm. Code 650	White-Tailed Deer Hunting by Use of Firearms (P-4718; A-13468)	
4 Ill. Adm. Code 400	Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)		17 Ill. Adm. Code 680	White-Tailed Deer Hunting by Use of Handguns (P-12055)	
83 Ill. Adm. Code 305	Construction of Electric Power & Communication Lines (P-2462)				
83 Ill. Adm. Code 756	Dual Party Relay Services (P-14004/92; A-1848)				
92 Ill. Adm. Code 1360	Equipment Leases (P-1685)				
83 Ill. Adm. Code 792	Imputation (P-11988)				
83 Ill. Adm. Code 590	Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466; A-12291)				
83 Ill. Adm. Code 255	Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)				
83 Ill. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)				
83 Ill. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805) (P-6382)				
83 Ill. Adm. Code 735	Procedures Governing the Establishment of Credit, Billing Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Ill. (G.O. #218) (P-6386) (P-12483)				
83 Ill. Adm. Code 275	Promotional Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)				
92 Ill. Adm. Code 1236	Reinstatement of Revoked Operating Authority (P-9167)				
83 Ill. Adm. Code 755	Telecommunications Access for the Hearing & Voice Impaired (P-16709/92; A-5594)				
83 Ill. Adm. Code 756	Telecommunications Relay Services (P-15605/92; A-12294)				
92 Ill. Adm. Code 1375	Uniform System of Accounts (P-8635)				
<b>COMMUNITY COLLEGE BOARD, ILLINOIS</b>			<b>CONSERVATION, DEPARTMENT OF</b>		
23 Ill. Adm. Code 1501	Administration of the Ill. Public Community College Act (P-12274/92; A-1853) (P-6686) (P-11993)		17 Ill. Adm. Code 530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-7138; A-15534)	
4 Ill. Adm. Code 1050	Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)		17 Ill. Adm. Code 830	Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177) (E-17263)	
2 Ill. Adm. Code 5176	Public Access to Information (CC-6903)		17 Ill. Adm. Code 950	Dog Training on Department-Owned or -Managed Sites (P-6390; A-13447)	
2 Ill. Adm. Code 5175	Public Information, Rulemaking and Organization (CC-6904)		17 Ill. Adm. Code 730	Dove Hunting (P-4539; A-10761)	
<b>COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS</b>			17 Ill. Adm. Code 590	Duck, Goose & Coot Hunting (E-1658) (4554; A-16443)	
47 Ill. Adm. Code 700	By-Laws (P-4530)		17 Ill. Adm. Code 1536	Forestry Development Cost-Share Program (P-8107; A-16485)	
<b>COMPTROLLER</b>			17 Ill. Adm. Code 510	General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601; A-10775)	
4 Ill. Adm. Code 775	Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)		17 Ill. Adm. Code 1010	Ill. List of Endangered & Threatened Fauna (P-16273)	
74 Ill. Adm. Code 330	Joint Rules of the Comptroller & the Dept. of Central Management Services: Prompt Payment (P-10686) (E-11170)		17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-4608; A-10781) (P-16285)	
80 Ill. Adm. Code 500	Personnel Rules (P-13827)		17 Ill. Adm. Code 4000	Management of Nature Preserves (P-12005)	
<b>CONSERVATION, DEPARTMENT OF</b>			17 Ill. Adm. Code 570	Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611; A-10785) (P-12038)	
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#### TYPE OF RULEMAKING

am = amendment to existing Section  
cc = codification changes  
n = new Section  
r = repeal of existing Section  
re = recodified  
# = renumbered

#### ACTION CODES

A = Adopted rule  
C = Correction  
P = Proposed Rule  
E = Emergency rule  
PP = Peremptory rule  
M = Modification  
W = Withdrawal  
RQ = Request for Correction  
PF = Prohibited filing  
S = Suspension  
O = ICAR Objection  
R = Refusal to Modify  
F = Failure to Remedy  
Objections Objection  
RC = Recommendation  
EC = Expedited Correction  
CC = Codification Changes

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#### TITLE I

100.100	am	(P-2867; A-10414)	100.660	am	(P-2867; A-10414)
100.110	am	(P-2867; A-10414)	100.700	am	(P-2867; A-10414)
100.120	am	(P-2867; A-10414)	100.710	am	(P-2867; A-10414)
100.130	am	(P-2867; A-10414)	100.740	am	(P-2867; A-10414)
100.140	am	(P-2867; A-10414)	100.800	am	(P-2867; A-10414)
100.150	am	(P-2867; A-10414)	100.810	am	(P-2867; A-10414)
100.160	am	(P-2867; A-10414)	100.820	am	(P-2867; A-10414)
100.180	am	(P-2867; A-10414)	100.900	am	(P-2867; A-10414)
100.200	am	(P-2867; A-10414)	100.910	am	(P-2867; A-10414)
100.210	am	(P-2867; A-10414)	100.920	am	(P-2867; A-10414)
100.220	am	(P-2867; A-10414)	100.1000	am	(P-2867; A-10414)
100.230	am	(P-2867; A-10414)	100.1010	am	(P-2867; A-10414)
100.240	am	(P-2867; A-10414)	100.1020	am	(P-2867; A-10414)
100.250	n	(P-2867; A-10414)	100.1030	am	(P-2867; A-10414)
100.260	am	(P-2867; A-10414)	100.1100	am	(P-2867; A-10414)
100.270	am	(P-2867; A-10414)	100.1110	am	(P-2867; A-10414)
100.280	am	(P-2867; A-10414)	100.1150	am	(P-2867; A-10414)
100.300	am	(P-2867; A-10414)	100.1160	n	(P-2867; A-10414)
100.310	am	(P-2867; A-10414)	100.1200	am	(P-2867; A-10414)
100.320	am	(P-2867; A-10414)	100.1210	am	(P-2867; A-10414)
100.330	am	(P-2867; A-10414)	100.Ap.A	am	(P-2867; A-10414)
100.335	am	(P-2867; A-10414)	Il.A	am	(P-2867; A-10414)
100.340	am	(P-2867; A-10414)	100.Ap.B	n	(P-2867; A-10414)
100.345	am	(P-2867; A-10414)	Il.G	n	(P-2867; A-10414)
100.350	am	(P-2867; A-10414)	Il.H	n	(P-2867; A-10414)
100.360	am	(P-2867; A-10414)	Il.I	n	(P-2867; A-10414)
100.380	am	(P-2867; A-10414)	100.Ap.D	am	(P-2867; A-10414)
100.385	am	(P-2867; A-10414)	Il.A	am	(P-2867; A-10414)
100.390	am	(P-2867; A-10414)	Il.C	am	(P-2867; A-10414)
100.400	am	(P-2867; A-10414)	Il.D	am	(P-2867; A-10414)
100.410	am	(P-2867; A-10414)	Il.F	am	(P-2867; A-10414)
100.415	am	(P-2867; A-10414)	Il.G	n	(P-2867; A-10414)
100.420	am	(P-2867; A-10414)	210.100		(CC-5965) (P-13268)
100.430	am	(P-2867; A-10414)	210.200		(CC-5965) (P-13268)
100.440	am	(P-2867; A-10414)	210.300	am	(P-13268)
100.450	am	(P-2867; A-10414)	210.400		(CC-5965) (P-13268)
100.500	am	(P-2867; A-10414)	210.450		(CC-5965) (P-13268)
100.510	am	(P-2867; A-10414)	210.500		(CC-5965) (P-13268)
100.530	am	(P-2867; A-10414)	220.100		(CC-5971) (P-13307)
100.540	am	(P-2867; A-10414)	220.150		(CC-5971) (P-13307)
100.545	am	(P-2867; A-10414)	220.200		(CC-5971) (P-13307)
100.550	am	(P-2867; A-10414)	220.250		(CC-5971) (P-13307)
100.600	am	(P-2867; A-10414)	220.275		(CC-5971) (P-13307)
100.610	am	(P-2867; A-10414)	220.285		(CC-5971) (P-13307)
100.620	am	(P-2867; A-10414)	220.300		(CC-5971) (P-13307)
100.640	am	(P-2867; A-10414)	220.450		(CC-5971) (P-13307)
100.650	am	(P-2867; A-10414)	220.500		(CC-5971) (P-13307)



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700.204	n	(P-15684/92; A-6507)	1050.40	n	(P-17399/92; A-4185)
725	n	(A-11432/92; CC-1673)	1050.50	n	(P-17399/92; A-4185)
750	n	(A-11418/92; CC-1673)	1050.60	n	(P-17399/92; A-4185)
775.10	n	(P-13710/92; A-6499)	1075.10	n	(P-14182/92; A-142)
775.20	n	(P-17310/92; A-6499)	1075.20	n	(P-14182/92; A-142)
775.30	n	(P-13710/92; A-6499)	1075.30	n	(P-14182/92; A-142)
775.40	n	(P-17310/92; A-6499)	1075.40	n	(P-14182/92; A-142)
775.50	n	(P-13710/92; A-6499)	1075.50	n	(P-14182/92; A-142)
775.60	n	(P-17310/92; A-6499)	1075.60	n	(P-14182/92; A-142)
775.70	n	(P-13710/92; A-6499)	1075.70	n	(P-14182/92; A-142)
775.Ap.A	n	(P-17310/92; A-6499)	1100.10	n	(P-13483/92; A-14653)
800.10	n	(P-11988/92; A-11143)	1100.20	n	(P-13483/92; A-14653)
800.20	n	(P-11988/92; A-11143)	1100.30	n	(P-13483/92; A-14653)
800.30	n	(P-11988/92; A-11143)	1100.40	n	(P-13483/92; A-14653)
800.40	n	(P-11988/92; A-11143)	1100.50	n	(P-13483/92; A-14653)
800.50	n	(P-11988/92; A-11143)	1100.60	n	(P-13483/92; A-14653)
800.60	n	(P-11988/92; A-11143)	1100.70	n	(P-13483/92; A-14653)
800.70	n	(P-11988/92; A-11143)	1125.10	n	(P-4523; A-11435)
800.80	n	(P-11988/92; A-11143)	1125.20	n	(P-4523; A-11435)
800.Ap.A	n	(P-11988/92; A-11143)	1125.30	n	(P-4523; A-11435)
900.10	n	(P-9273/92; A-9887)	1125.40	n	(P-4523; A-11435)
900.20	n	(P-9273/92; A-9887)	1125.50	n	(P-4523; A-11435)
900.30	n	(P-9273/92; A-9887)	1125.60	n	(P-4523; A-11435)
900.40	n	(P-9273/92; A-9887)	1125.70	n	(P-4523; A-11435)
900.50	n	(P-9273/92; A-9887)	TITLE 8		
900.60	n	(P-9273/92; A-9887)	20.1	am	(P-14739)
900.70	n	(P-9273/92; A-9887)	40.5	am	(P-14769)
925.100	n	(P-10534/92; A-8162)	40.60	am	(P-14769)
925.110	n	(P-10534/92; A-8162)	40.80	am	(P-14769)
925.120	n	(P-10534/92; A-8162)	40.110	am	(P-14769)
925.130	n	(P-10534/92; A-8162)	40.170	am	(P-14769)
925.140	n	(P-10534/92; A-8162)	65.10	am	(P-527; A-6749)
925.150	n	(P-10534/92; A-8162)	65.100	am	(P-527; A-6749)
925.160	n	(P-10534/92; A-8162)	65.130	am	(P-527; A-6749)
925.Ap.A	n	(A-19806/92; CC-1673)	65.140	am	(P-527; A-6749)
975	n	(A-20092/92; CC-1673)	65.150	am	(P-527; A-6749)
1000	n	(P-13188/92; A-8802)	65.170	am	(P-527; A-6749)
1025.10	n	(P-13188/92; A-8802)	65.190	am	(P-527; A-6749)
1025.20	n	(P-13188/92; A-8802)	65.200	am	(P-527; A-6749)
1025.30	n	(P-13188/92; A-8802)	65.210	am	(P-527; A-6749)
1025.40	n	(P-13188/92; A-8802)	65.220	am	(P-527; A-6749)
1025.50	n	(P-13188/92; A-8802)	65.230	am	(P-527; A-6749)
1025.60	n	(P-13188/92; A-8802)	75.5	am	(P-14728)
1025.70	n	(P-13188/92; A-8802)	75.10	am	(P-14728)
1050.10	n	(P-17399/92; A-4185)	75.40	r	(P-14728)
1050.20	n	(P-17399/92; A-4185)	75.120	am	(P-14728)
1050.30	n	(P-17399/92; A-4185)			

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75.180	am	(P-14728)	257.70	n	(P-14288)
75.190	am	(P-14728)	257.80	n	(P-14288)
75.200	am	(P-14728)	257.90	n	(P-14288)
75.210	am	(P-14728)	257.100	n	(P-14288)
75.Tb.A	r	(P-14728)	290.10	am	(P-8347; W-13812)
75.Tb.B	r	(P-14728)	290.15	am	(P-8347; W-13812)
85.5	am	(P-14747)	290.30	n	(P-8347; W-13812)
85.15	am	(P-14747)	290.50	am	(P-8347; W-13812)
85.50	am	(P-14747)	290.55	am	(P-8347; W-13812)
85.75	am	(P-14747)	290.60	r	(P-8347; W-13812)
85.100	am	(P-14747)	290.62	n	(P-8347; W-13812)
85.110	am	(P-14747)	290.63	n	(P-8347; W-13812)
85.115	am	(P-14747)	290.64	n	(P-8347; W-13812)
85.125	n	(E-14052; (P-14747))	290.65	am	(P-8347; W-13812)
105.5	am	(P-14781)	290.70	r	(P-8347; W-13812)
105.10	am	(P-14781)	290.75	r	(P-8347; W-13812)
105.30	am	(E-5910) (P-6377; A-14010) (P-14781)	290.80	r	(P-8347; W-13812)
110.50	am	(P-14717)	290.85	am	(P-8347; W-13812)
110.80	am	(P-14717)	290.90	am	(P-8347; W-13812)
110.90	am	(P-14717)	290.95	am	(P-8347; W-13812)
110.110	am	(P-14717)	290.100	r	(P-8347; W-13812)
115.80	am	(E-5906) (P-6373; A-14006)	290.105	am	(P-8347; W-13812)
116.10	n	(P-14761)	290.110	am	(P-8347; W-13812)
116.20	n	(P-14761)	290.150	am	(P-8347; W-13812)
125.100	am	(PP-15725)	290.155	am	(P-8347; W-13812)
125.260	am	(PP-16238)	290.160	r	(P-8347; W-13812)
125.270	am	(PP-2063) (PP-15725)	290.162	n	(P-8347; W-13812)
125.390	am	(PP-16238)	290.163	n	(P-8347; W-13812)
256.10	n	(P-14975/92; A-2189)	290.164	n	(P-8347; W-13812)
256.20	n	(P-14975/92; A-2189)	290.165	am	(P-8347; W-13812)
256.30	n	(P-14975/92; A-2189)	290.170	r	(P-8347; W-13812)
256.40	n	(P-14975/92; A-2189)	290.175	r	(P-8347; W-13812)
256.50	n	(P-14975/92; A-2189)	290.180	r	(P-8347; W-13812)
256.60	n	(P-14975/92; A-2189)	290.185	am	(P-8347; W-13812)
256.70	n	(P-14975/92; A-2189)	290.190	r	(P-8347; W-13812)
256.80	n	(P-14975/92; A-2189)	290.195	am	(P-8347; W-13812)
256.90	n	(P-14975/92; A-2189)	290.200	r	(P-8347; W-13812)
257.10	n	(P-14288)	290.205	r	(P-8347; W-13812)
257.20	n	(P-14288)	290.210	am	(P-8347; W-13812)
257.30	n	(P-14288)	290.212	am	(P-8347; W-13812)
257.40	n	(P-14288)	290.215	am	(P-8347; W-13812)
257.50	n	(P-14288)	700.Ap.1	am	(P-9781)
257.60	n	(P-14288)	750.10	n	(P-1251; A-6965)
			750.20	n	(P-1251; A-6965)
			750.30	n	(P-1251; A-6965)
			750.40	n	(P-1251; A-6965)
			1400.146	n	(P-3956; A-15808)

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TITLE 8 (CONT'D)				TITLE 11 (CONT'D)			
1400.147 am	(P-8297/92; A-3618) (P-3956; A-15808)	205.280 n	(P-3594) (E-6859; O-8085)	205.550 n	(P-3594) (E-6859; O-8085)	509.70 am	(P-6955/92; A-3649)
1400.149 am	(P-8297/92; A-3618) (P-3956; A-15808)	205.290 n	(P-3594) (E-6859; O-8085)	205.560 n	(P-3594) (E-6859; O-8085)	509.75 am	(P-6955/92; A-3649)
		205.300 n	(P-3594) (E-6859; O-8085)	205.570 n	(P-3594) (E-6859; O-8085)	509.80 am	(P-6955/92; A-3649)
		205.310 n	(P-3594) (E-6859; O-8085)	205.580 n	(P-3594) (E-6859; O-8085)	509.90 am	(P-6955/92; A-3649)
TITLE 11		205.320 n	(P-3594) (E-6859; O-8085)	205.590 n	(P-3594) (E-6859; O-8085)	509.95 n	(P-6955/92; A-3649)
100.350	(CC-8095)	205.330 n	(P-3594) (E-6859; O-8085)	205.600 n	(P-3594) (E-6859; O-8085)	509.100 am	(P-6955/92; A-3649)
205.10 n	(P-3594; A-13615) (E-6859; O-8085)	205.340 n	(P-3594) (E-6859; O-8085)	205.610 n	(P-3594) (E-6859; O-8085)	509.110 am	(P-6955/92; A-3649)
205.20 n	(P-3594; A-13615) (E-6859; O-8085)	205.350 n	(P-3594) (E-6859; O-8085)	205.620 n	(P-3594) (E-6859; O-8085)	509.130 r	(P-6955/92; A-3649)
205.30 n	(P-3594; A-13615) (E-6859; O-8085)	205.360 n	(P-3594) (E-6859; O-8085)	205.650 n	(P-3594) (E-6859; O-8085)	509.140 am	(P-6955/92; A-3649)
205.40 n	(P-3594; A-13615) (E-6859; O-8085)	205.370 n	(P-3594) (E-6859; O-8085)	205.660 n	(P-3594) (E-6859; O-8085)	509.150 am	(P-6955/92; A-3649)
205.50 n	(P-3594; A-13615) (E-6859; O-8085)	205.380 n	(P-3594) (E-6859; O-8085)	205.670 n	(P-3594) (E-6859; O-8085)	509.160 am	(P-6955/92; A-3649)
205.60 n	(P-3594; A-13615) (E-6859; O-8085)	205.420 n	(P-3594) (E-6859; O-8085)	205.680 n	(P-3594) (E-6859; O-8085)	509.170 am	(P-6955/92; A-3649)
205.70 n	(P-3594; A-13615) (E-6859; O-8085)	205.430 n	(P-3594) (E-6859; O-8085)	205.690 n	(P-3594) (E-6859; O-8085)	509.175 r	(P-6955/92; A-3649)
205.80 n	(P-3594; A-13615) (E-6859; O-8085)	205.440 n	(P-3594) (E-6859; O-8085)	205.700 n	(P-3594) (E-6859; O-8085)	509.190 am	(P-6955/92; A-3649)
205.110 n	(P-3594; A-13615) (E-6859; O-8085)	205.450 n	(P-3594) (E-6859; O-8085)	205.710 n	(P-3594) (E-6859; O-8085)	509.195 r	(P-6955/92; A-3649)
205.120 n	(P-3594; A-13615) (E-6859; O-8085)	205.460 n	(P-3594) (E-6859; O-8085)	205.720 n	(P-3594) (E-6859; O-8085)	509.200 am	(P-6955/92; A-3649)
205.130 n	(P-3594; A-13615) (E-6859; O-8085)	205.470 n	(P-3594) (E-6859; O-8085)	205.730 n	(P-3594) (E-6859; O-8085)	509.210 am	(P-6955/92; A-3649)
205.140 n	(P-3594) (E-6859; O-8085)	205.480 n	(P-3594) (E-6859; O-8085)	402.10 am	(P-14087)	509.240 r	(P-6955/92; A-3649)
205.150 n	(P-3594) (E-6859; O-8085)	205.490 n	(P-3594) (E-6859; O-8085)	402.30 am	(P-14087)	509.250 r	(P-6955/92; A-3649)
205.160 n	(P-3594) (E-6859; O-8085)	205.500 n	(P-3594) (E-6859; O-8085)	402.40 am	(P-14087)	1305.120 r	(P-2439/92; A-3034)
205.170 n	(P-3594) (E-6859; O-8085)	205.510 n	(P-3594) (E-6859; O-8085)	402.160 am	(P-14087)	1305.130 r	(P-2439/92; A-3034)
205.180 n	(P-3594) (E-6859; O-8085)	205.520 n	(P-3594) (E-6859; O-8085)	409.20 am	(P-14565)	1305.140 am	(P-2439/92; A-3034)
205.190 n	(P-3594) (E-6859; O-8085)	205.530 n	(P-3594) (E-6859; O-8085)	502.220 am	(P-11367)	1318.30 am	(P-12271)
205.250 n	(P-3594) (E-6859; O-8085)	205.540 n	(P-3594) (E-6859; O-8085)	502.290 am	(P-11367)	1402.20 am	(P-11372)
205.260 n	(P-3594) (E-6859; O-8085)			509.10 am	(P-14087)	1402.30 am	(P-11372)
205.270 n	(P-3594) (E-6859; O-8085)			509.20 am	(P-14087)	1402.50 am	(P-11372)

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1402.70	am	(P-11372)	1440.80	n	(E-14181) (P-15799)
1402.90	am	(P-11372)	1770.20	am	(P-16738/92; C-8074)
1402.120	am	(P-11372)	1770.110	am	(P-16738/92; C-8074)
1402.240	r	(P-11372)	1770.170	am	(P-16738/92; C-8074)
1402.245	n	(P-11372)	1770.190	am	(P-16738/92; C-8074)
1402.250	am	(P-11372)	TITLE 14		
1402.260	am	(P-11372)	150.20	am	(P-4167; A-11571)
1402.280	n	(P-11372)	150.200	am	(P-4167; A-11571)
1409.10	am	(P-4158; A-12429)	150.210	am	(P-4167; A-11571)
1409.20	am	(P-4158; A-12429)	150.220	am	(P-4167; A-11571)
1409.310	am	(P-4158; A-12429)	150.240	am	(P-4167; A-11571)
1409.410	am	(P-4158; A-12429)	150.305	r	(P-4167; A-11571)
1409.510	am	(P-4158; A-12429)	(P-11571)		
1409.710	am	(P-4158; A-12429)	150.400	am	(P-4167; A-11571)
1409.810	am	(P-4158; A-12429)	150.405	am	(P-4167; A-11571)
1409.100	am	(P-4158; A-12429)	150.420	am	(P-4167; A-11571)
1409.120	am	(P-4158; A-12429)	150.435	am	(P-4167; A-11571)
1409.130	am	(P-4158; A-12429)	150.470	am	(P-4167; A-11571)
1409.135	am	(P-4158; A-12429)	150.510	am	(P-4167; A-11571)
1409.138	am	(P-4158; A-12429)	150.520	am	(P-4167; A-11571)
1409.140	am	(P-4158; A-12429)	150.620	am	(P-4167; A-11571)
1409.150	am	(P-4158; A-12429)	150.621	n	(P-4167; A-11571)
1409.160	am	(P-4158; A-12429)	150.700	n	(P-4167; A-11571)
1409.170	am	(P-4158; A-12429)	150.705	n	(P-4167; A-11571)
1409.180	am	(P-4158; A-12429)	150.710	n	(P-4167; A-11571)
1409.185	am	(P-4158; A-12429)	150.720	n	(P-4167; A-11571)
1411.120	am	(P-14094)	170.20	am	(P-13784/92; A-427)
1411.150	am	(P-14094)	178.10	n	(P-13672)
1411.250	n	(P-1372; A-12426)	178.15	n	(P-13672)
1413.44	am	(P-14090)	178.20	n	(P-13672)
1413.46	am	(P-14090)	178.25	n	(P-13672)
1413.100	am	(P-14090)	178.30	n	(P-13672)
1413.150	am	(P-13218/92; A-1628)	178.35	n	(P-13672)
1416.5	am	(P-12274)	178.40	n	(P-13672)
1424.170	am	(P-12133/92; A-3038)	178.45	n	(P-13672)
1424.175	r	(P-12133/92; A-3038)	178.50	n	(P-13672)
1428.240	n	(P-3593; O-10011; RC-10012; M-12456; A-14049)	178.55	n	(P-13672)
		(E-3683; O-6550)	178.60	n	(P-13672)
		(E-14181) (P-15799)	178.100	n	(P-13672)
1440.10	n	(E-14181) (P-15799)	178.105	n	(P-13672)
1440.20	n	(E-14181) (P-15799)	178.110	n	(P-13672)
1440.30	n	(E-14181) (P-15799)	178.115	n	(P-13672)
1440.40	n	(E-14181) (P-15799)	178.120	n	(P-13672)
1440.50	n	(E-14181) (P-15799)	178.125	n	(P-13672)
1440.60	n	(E-14181) (P-15799)	178.130	n	(P-13672)
1440.70	n	(E-14181) (P-15799)	178.135	n	(P-13672)
		(E-14181) (P-15799)	178.140	n	(P-13672)

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178.145	n	(P-13672)	530.115	am (P-7138; A-15534)
178.150	n	(P-13672)	530.120	am (P-7138; A-15534)
178.155	n	(P-13672)	550.10	am (P-4622; A-10795)
178.160	n	(P-13672)	550.20	am (P-4622; A-10795)
178.165	n	(P-13672)	550.30	am (P-4622; A-10795)
178.170	n	(P-13672)	570.20	am (P-4611; A-10785)
178.175	n	(P-13672)	570.30	am (P-4611; A-10785)
178.180	n	(P-13672)	570.40	am (P-4611; A-10785)
178.185	n	(P-13672)	590.10	am (E-1658) (P-4554; A-16443)
510.20	am	(P-14318)		
510.50	am	(P-14318)	590.20	am (P-4554; A-16443)
510.60	am	(P-14318)	590.25	am (P-4554; A-16443)
510.70	am	(P-14318)	590.26	am (P-4554; A-16443)
510.80	am	(P-14318)	590.30	am (P-4554; A-16443)
510.85	am	(P-14318)	590.40	am (P-4554; A-16443)
520.520	n	(P-9791)	590.50	am (P-4554; A-16443)
520.920	am	(P-13691/92; A-1837)	590.60	am (P-4554; A-16443)
520.930	am	(P-13691/92; A-1837)	590.70	n (P-4554; A-16443)
520.1020	am	(P-13691/92; A-1837)	650.20	am (P-4718; A-13468)
520.1030	am	(P-13691/92; A-1837)	650.21	am (P-4718; A-13468)
1230.100	n	(P-9222/92; A-1859)	650.22	am (P-4718; A-13468)
1230.110	n	(P-9222/92; A-1859)	650.30	am (P-4718; A-13468)
1230.200	n	(P-9222/92; A-1859)	650.40	am (P-4718; A-13468)
1230.210	n	(P-9222/92; A-1859)	650.50	am (P-4718; A-13468)
1230.300	n	(P-9222/92; A-1859)	650.60	am (P-4718; A-13468)
1230.310	n	(P-9222/92; A-1859)	650.65	n (P-4718; A-13468)
1230.400	n	(P-9222/92; A-1859)	660.20	am (P-4742; A-10865)
1230.500	n	(P-9222/92; A-1859)	660.22	n (P-4742; A-10865)
1230.510	n	(P-9222/92; A-1859)	660.30	am (P-4742; A-10865)
1230.520	n	(P-9222/92; A-1859)	660.40	am (P-4742; A-10865)
1230.530	n	(P-9222/92; A-1859)	660.45	am (P-4742; A-10865)
1230.540	n	(P-9222/92; A-1859)	660.50	am (P-4742; A-10865)
			660.60	am (P-4742; A-10865)
			670.10	am (P-15265/92; A-286)
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220.30	am	(P-19993/92; A-6760)		
220.60	am	(P-19993/92; A-6760)	670.20	am (P-4698; A-13452)
370.		(CC-8091)	670.30	am (P-4698; A-13452)
390.		(CC-8090)	670.40	am (P-4698; A-13452)
510.10	am	(P-4601; A-10775)	670.50	am (P-4698; A-13452)
530.10	am	(P-7138; A-15534)	670.60	am (P-15265/92; A-286)
530.20	am	(P-7138; A-15534)		
530.30	am	(P-7138; A-15534)	680.10	am (P-4698; A-13452)
530.40	am	(P-7138; A-15534)	680.20	am (P-12055)
530.50	am	(P-7138; A-15534)	680.30	am (P-12055)
530.90	am	(P-7138; A-15534)	680.40	am (P-12055)
530.100	am	(P-7138; A-15534)	680.50	am (P-12055)
530.105	am	(P-7138; A-15534)	680.60	am (P-12055)
530.110	am	(P-7138; A-15534)	680.70	am (P-12055)
530.115	am	(P-7138; A-15534)	680.80	am (P-12055)
530.120	am	(P-7138; A-15534)	680.90	am (P-4672; A-10842)

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4000.620 am			1.50 am	(P-10079)
4180.120 am			1.60 am	(P-10079)
			1.70 am	(P-10079)
			1.80 am	(P-10079)
TITLE 20			1.90 n	(P-10079)
107.145 am	(E-16215)		1.100 n	(P-10079)
107.210 am	(E-16215)		.Ap.D n	(P-10079)
107.500 n	(E-16215)		.Ap.E n	(P-10079)
107.505 n	(E-16215)		.Ap.F n	(P-10079)
107.510 n	(E-16215)		.Ap.G n	(P-10079)
107.520 n	(E-16215)		1.736 n	(P-8684/92; A-18010/92; EC-3553)
107.530 n	(E-16215)			(P-10061)
107.540 n	(E-16215)		210.10 r	(P-10061)
107.550 n	(E-16215)		210.100 r	(P-10061)
107.560 n	(E-16215)		210.110 r	(P-10061)
405.17 am	(E-16227)		210.120 r	(P-10061)
405.20 am	(E-16227)		210.130 r	(P-10061)
405.55 r	(E-16227)		210.140 r	(P-10061)
420.30 am	(E-16208)		210.150 r	(P-10061)
440.10 r	(P-16371/92; A-1519)		210.200 r	(P-10061)
440.20 r	(P-16371/92; A-1519)		210.210 r	(P-10061)
460.12 am	(E-16212)		210.220 r	(P-10061)
460.20 am	(E-16212)		226.525 am	(P-13231) (E-13622)
501.40 am	(P-8396)		228.15 n	(P-9253/92; A-104)
501.60 am	(P-8396)		228.20 am	(P-9253/92; A-104)
502.110 am	(P-6394)		228.25 n	(P-9253/92; A-104)
525.140 am	(P-1666; RQ-9150; C-10013; EC-11903)		228.30 am	(P-9253/92; A-104)
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1230.10 am	(P-7768)		245.10 n	(P-10131)
1230.20 am	(P-7768)		245.20 n	(P-10131)
1230.30 am	(P-7768)		245.30 n	(P-10131)
1230.40 #, n	(P-7768)		245.40 n	(P-10131)
1230.50 #, am	(P-7768)		245.50 n	(P-10131)
1230.60 n	(P-7768)		245.60 n	(P-10131)
1230.70 n	(P-7768)		245.70 n	(P-10131)
1230.80 n	(P-7768)		451.220 am	(P-12062)
1230.90 #, am	(P-7768)		1501.518 n	(P-12274/92; A-1853)
1230.100 n	(P-7768)		1501.102 am	(P-6686)
1230.Ex.A r	(P-7768)		1501.105 am	(P-6686)
1230.Ex.B r	(P-7768)		1501.109 am	(P-6686)
1285.20 am	(P-13981)		1501.110 am	(P-6686)
1285.30 am	(P-13981)		1501.201 am	(P-6686)
			1501.202 am	(P-6686)
			1501.301 am	(P-6686)
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1.10 am	(P-10079)		1501.303 am	(P-11993)
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1.30 am	(P-10079)			

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1501.406	am	(P-6686)
1501.501	am	(P-6686)
1501.503	am	(P-6686)
1501.505	am	(P-6686)
1501.507	am	(P-6686)
1501.508	am	(P-11993)
1501.516	am	(P-6686)
1501.607	am	(P-6686)
1501.703	am	(P-6686)
2310.80	am	(P-1691; A-9680)
2700.20	am	(P-1385; A-10541)
2700.30	am	(P-1385; A-1054)
2700.40	am	(P-1385; A-10541)
2700.50	am	(P-1385; A-10541)
2700.55	am	(P-1385; A-10541)
2700.60	am	(P-1385; A-10541)
2700.70	am	(P-1385; A-10541)
2720.5	am	(P-1403; A-10506)
2720.6	am	(P-1403; A-10506)
2720.10	am	(P-1403; A-10506)
2720.20	am	(P-1403; A-10506)
2720.25	am	(P-1403; A-10506)
2720.30	am	(P-1403; A-10506)
2720.40	am	(P-1403; A-10506)
2720.41	am	(E-2055)
2720.42	am	(P-1403; A-10506)
2720.50	am	(P-1403; A-10506)
2720.55	am	(P-1403; A-10506)
2720.60	am	(P-1403; A-10506)
2720.70	am	(P-1403; A-10506)
2720.80	am	(P-1403; A-10506)
2720.90	am	(P-1403; A-10506)
2720.105	am	(P-1403; A-10506)
2720.120	am	(P-1403; A-10506)
2720.130	am	(P-1403; A-10506)
2720.200	am	(P-1403; A-10506)
2720.210	am	(P-1403; A-10506)
2720.Ap.A	am	(P-1403; A-10506)
2730.5	am	(P-1437; A-10563)
2730.10	am	(P-1437; A-10563)
2730.20	am	(P-1437; A-10563)
2731.10	am	(P-1381; A-10559)
2731.20	am	(P-1381; A-10559)
2732.10	am	(P-1493; A-10620)
2732.20	am	(P-1493; A-10620)

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3040.240	am	(P-958; A-7234)	
3040.250	am	(P-958; A-7234)	
3040.260	am	(P-958; A-7234)	
100.10	am	(P-14333)	
100.70	am	(P-14333)	
100.110	n	(P-14333)	
207.120	n	(P-14342)	
207.130	n	(P-14342)	
207.Ap.A	am	(P-14342)	

TITLE 29

300.10	r	(P-13865)
300.20	r	(P-13865)
300.30	r	(P-13865)
300.40	r	(P-13865)
300.50	r	(P-13865)
300.60	r	(P-13865)
300.70	r	(P-13865)
300.80	r	(P-13865)
510.10	r	(P-13875)
510.20	r	(P-13875)
510.30	r	(P-13875)
510.40	r	(P-13875)
510.50	r	(P-13875)
1300.10	n	(P-13856)
1300.20	n	(P-13856)
1300.30	n	(P-13856)
1300.40	n	(P-13856)
1300.50	n	(P-13856)
1300.60	n	(P-13856)
1310.10	n	(P-13843)
1310.20	n	(P-13843)
1310.30	n	(P-13843)
1310.40	n	(P-13843)
1310.50	n	(P-13843)

TITLE 32

310.10	am	(P-3787)
310.20	am	(P-3787)
310.80	am	(P-3787)
310.81	am	(P-3787)
310.82	am	(P-3787)
310.100	am	(P-3787)
310.130	r	(P-3787)
310.140	n	(P-3787)

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TITLE	26		
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3040.250	am	(P-958; A-7234)	
3040.260	am	(P-958; A-7234)	
100.10	am	(P-14333)	
100.70	am	(P-14333)	
100.110	n	(P-14333)	
207.120	n	(P-14342)	
207.130	n	(P-14342)	
207.Ap.A	am	(P-14342)	

TITLE 29

300.10	r	(P-13865)
300.20	r	(P-13865)
300.30	r	(P-13865)
300.40	r	(P-13865)
300.50	r	(P-13865)
300.60	r	(P-13865)
300.70	r	(P-13865)
300.80	r	(P-13865)
510.10	r	(P-13875)
510.20	r	(P-13875)
510.30	r	(P-13875)
510.40	r	(P-13875)
510.50	r	(P-13875)
1300.10	n	(P-13856)
1300.20	n	(P-13856)
1300.30	n	(P-13856)
1300.40	n	(P-13856)
1300.50	n	(P-13856)
1300.60	n	(P-13856)
1310.10	n	(P-13843)
1310.20	n	(P-13843)
1310.30	n	(P-13843)
1310.40	n	(P-13843)
1310.50	n	(P-13843)

TITLE 32

310.10	am	(P-3787)
310.20	am	(P-3787)
310.80	am	(P-3787)
310.81	am	(P-3787)
310.82	am	(P-3787)
310.100	am	(P-3787)
310.130	r	(P-3787)
310.140	n	(P-3787)

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340.310	n	(P-4070)	341.100	am	(P-13933)
340.320	n	(P-4070)	341.110	am	(P-13933)
340.410	n	(P-4070)	341.120	am	(P-13933)
340.510	n	(P-4070)	341.140	am	(P-13933)
340.520	n	(P-4070)	341.150	am	(P-13933)
340.530	n	(P-4070)	341.160	am	(P-13933)
340.610	n	(P-4070)	341.170	am	(P-13933)
340.620	n	(P-4070)	341.180	am	(P-13933)
340.630	n	(P-4070)	341.190	am	(P-13933)
340.710	n	(P-4070)	341.200	am	(P-13933)
340.720	n	(P-4070)	341.Ap.A	r	(P-13933)
340.730	n	(P-4070)	341.Tb.A	r	(P-13933)
340.810	n	(P-4070)	341.Tb.B	r	(P-13933)
340.910	n	(P-4070)	341.Tb.C	r	(P-13933)
340.920	n	(P-4070)	341.Tb.D	r	(P-13933)
340.930	n	(P-4070)	350.10	am	(P-13882)
340.940	n	(P-4070)	350.25	n	(P-13882)
340.950	n	(P-4070)	350.30	am	(P-13882)
340.960	n	(P-4070)	350.40	n	(P-13882)
340.1000	r	(P-3997)	350.50	n	(P-13882)
340.1010	r	(P-3997)	350.1000	n	(P-13882)
340.1010	n	(P-4070)	350.1005	n	(P-13882)
340.1010	n	(P-4070)	350.1010	am	(P-13882)
340.1020	r	(P-3997)	350.1020	am	(P-13882)
340.1030	r	(P-3997)	350.1030	am	(P-13882)
340.1030	n	(P-4070)	350.1040	am	(P-13882)
340.1040	r	(P-3997)	350.1050	am	(P-13882)
340.1040	n	(P-4070)	350.1060	am	(P-13882)
340.1050	r	(P-3997)	350.1070	am	(P-13882)
340.1052	n	(P-4070)	350.1080	am	(P-13882)
340.1055	n	(P-4070)	350.1090	am	(P-13882)
340.1057	n	(P-4070)	350.2010	am	(P-13882)
340.1060	r	(P-3997)	350.2020	am	(P-13882)
340.1060	n	(P-4070)	350.2030	am	(P-13882)
340.1060	n	(P-4070)	350.2040	am	(P-13882)
340.1070	r	(P-3997)	350.3010	am	(P-13882)
340.1070	n	(P-4070)	350.3020	am	(P-13882)
340.1110	n	(P-4070)	350.3030	am	(P-13882)
340.1120	n	(P-4070)	350.3040	am	(P-13882)
340.1130	n	(P-4070)	350.3045	n	(P-13882)
340.1135	n	(P-4070)	350.3048	n	(P-13882)
340.1140	n	(P-4070)	350.3050	am	(P-13882)
340.1150	n	(P-4070)	350.3060	r	(P-13882)
340.1160	n	(P-4070)	350.3070	r	(P-13882)
340.1170	n	(P-4070)	350.3080	r	(P-13882)
340.1180	n	(P-4070)			

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350.3090	n	(P-13882)	341.90	am	(P-13933)
350.4000	n	(P-13882)	341.100	am	(P-13933)
350.4010	n	(P-13882)	341.110	am	(P-13933)
350.4020	n	(P-13882)	341.120	am	(P-13933)
350.4030	n	(P-13882)	341.140	am	(P-13933)
350.Ap.A	am	(P-13882)	341.150	am	(P-13933)
350.Ap.B	n	(P-13882)	341.160	am	(P-13933)
350.Ap.C	n	(P-13882)	341.170	am	(P-13933)
351.10	am	(P-8674)	341.180	am	(P-13933)
351.40	am	(P-8674)	341.190	am	(P-13933)
351.1010	am	(P-8674)	341.200	am	(P-13933)
351.1040	am	(P-8674)	341.Ap.A	r	(P-13933)
351.1050	am	(P-8674)	341.Tb.A	r	(P-13933)
351.1060	am	(P-8674)	341.Tb.B	r	(P-13933)
351.1070	am	(P-8674)	341.Tb.C	r	(P-13933)
351.1080	am	(P-8674)	341.Tb.D	r	(P-13933)
351.1090	am	(P-8674)	350.10	am	(P-13882)
351.1100	am	(P-8674)	350.25	n	(P-13882)
351.2010	am	(P-8674)	350.30	am	(P-13882)
351.2020	am	(P-8674)	350.40	n	(P-13882)
351.2030	am	(P-8674)	350.50	n	(P-13882)
351.3030	am	(P-8674)	350.1000	n	(P-13882)
351.3040	am	(P-8674)	350.1005	n	(P-13882)
351.4010	am	(P-8674)	350.1010	am	(P-13882)
351.4020	am	(P-8674)	350.1020	am	(P-13882)
351.5010	am	(P-8674)	350.1030	am	(P-13882)
351.Ap.B	am	(P-8674)	350.1040	am	(P-13882)
390.20	am	(P-8666)	350.1050	am	(P-13882)
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390.40	am	(P-8666)	350.1070	am	(P-13882)
390.50	am	(P-8666)	350.1080	am	(P-13882)
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390.70	am	(P-8666)	350.2010	am	(P-13882)
400.10	am	(P-8655)	350.2020	am	(P-13882)
400.110	am	(P-8655)	350.2030	am	(P-13882)
400.120	am	(P-8655)	350.2040	am	(P-13882)
400.130	am	(P-8655)	350.3010	am	(P-13882)
400.140	am	(P-8655)	350.3020	am	(P-13882)
400.150	am	(P-8655)	350.3030	am	(P-13882)
400.160	am	(P-8655)	350.3040	am	(P-13882)
505.10	n	(P-15220) (E-15667)	350.3045	n	(P-13882)
505.20	n	(P-15220) (E-15667)	350.3048	n	(P-13882)
505.30	n	(P-15220) (E-15667)	350.3050	am	(P-13882)
505.40	n	(P-15220) (E-15667)	350.3060	r	(P-13882)
505.50	n	(P-15220) (E-15667)	350.3070	r	(P-13882)
505.60	n	(P-15220) (E-15667)	350.3080	r	(P-13882)
505.70	n	(P-15220) (E-15667)			

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505.82	n	(P-15220) (E-15667)	106.923	n	(P-16355)
505.84	n	(P-15220) (E-15667)	106.924	n	(P-16355)
505.86	n	(P-15220) (E-15667)	106.925	n	(P-16355)
505.90	n	(P-15220) (E-15667)	183.105	am	(P-12659/92; A-12319)
505.100	n	(P-15220) (E-15667)	183.110	am	(P-12659/92; A-12319)
505.110	n	(P-15220) (E-15667)	183.115	am	(P-12659/92; A-12319)
505.120	n	(P-15220) (E-15667)	183.120	am	(P-12659/92; A-12319)
505.130	n	(P-15220) (E-15667)	183.125	am	(P-12659/92; A-12319)
505.140	n	(P-15220) (E-15667)	183.130	am	(P-12659/92; A-12319)
505.150	n	(P-15220) (E-15667)	183.131	n	(P-12659/92; A-12319)
505.160	n	(P-15220) (E-15667)	183.132	n	(P-12659/92; A-12319)
505.170	n	(P-15220) (E-15667)	183.133	n	(P-12659/92; A-12319)
505.180	n	(P-15220) (E-15667)	183.134	n	(P-12659/92; A-12319)
505.190	n	(P-15220) (E-15667)	183.135	am	(P-12659/92; A-12319)
505.200	n	(P-15220) (E-15667)	183.140	am	(P-12659/92; A-12319)
505.2100	n	(P-15220) (E-15667)	183.145	am	(P-12659/92; A-12319)
505.2200	n	(P-15220) (E-15667)	183.150	am	(P-12659/92; A-12319)
505.2300	n	(P-15220) (E-15667)	183.160	am	(P-12659/92; A-12319)
505.2400	n	(P-15220) (E-15667)	183.170	r	(P-12659/92; A-12319)
505.2500	n	(P-15220) (E-15667)	183.210	am	(P-12659/92; A-12319)
505.2600	n	(P-15220) (E-15667)	183.215	am	(P-12659/92; A-12319)
505.2700	n	(P-15220) (E-15667)	183.220	am	(P-12659/92; A-12319)
505.2800	n	(P-15220) (E-15667)	183.225	am	(P-12659/92; A-12319)
505.2900	n	(P-15220) (E-15667)	183.230	am	(P-12659/92; A-12319)
			183.231	n	(P-12659/92; A-12319)
			183.235	am	(P-12659/92; A-12319)
			183.240	am	(P-12659/92; A-12319)
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			183.250	am	(P-12659/92; A-12319)
			183.255	am	(P-12659/92; A-12319)
			183.310	am	(P-12659/92; A-12319)
			183.315	am	(P-12659/92; A-12319)
			183.320	am	(P-12659/92; A-12319)
			183.325	am	(P-12659/92; A-12319)
			183.330	am	(P-12659/92; A-12319)
			183.335	am	(P-12659/92; A-12319)
			183.340	am	(P-12659/92; A-12319)
			183.345	am	(P-12659/92; A-12319)
105.102	am	(P-16366)	183.350	am	(P-12659/92; A-12319)
106.910	n	(P-16355)	183.355	am	(P-12659/92; A-12319)
106.911	n	(P-16355)	183.360	am	(P-12659/92; A-12319)
106.913	n	(P-16355)	183.365	am	(P-12659/92; A-12319)
106.914	n	(P-16355)	183.370	am	(P-12659/92; A-12319)
106.915	n	(P-16355)	183.406	n	(P-12659/92; A-12319)
106.916	n	(P-16355)	183.410	am	(P-12659/92; A-12319)
106.920	n	(P-16355)	183.415	am	(P-12659/92; A-12319)
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211.1290	■	(P-4782; A-16504)	211.2270	■	(P-4782; A-16504)	211.4230	■
211.1310	■	(P-4782; A-16504)	211.2310	■	(P-4782; A-16504)	211.4250	■
211.1330	■	(P-4782; A-16504)	211.2330	■	(P-4782; A-16504)	211.4270	■
211.1350	■	(P-4782; A-16504)	211.2350	■	(P-4782; A-16504)	211.4290	■
211.1370	■	(P-4782; A-16504)	211.2370	■	(P-4782; A-16504)	211.4310	■
211.1390	■	(P-4782; A-16504)	211.2390	■	(P-4782; A-16504)	211.4330	■
211.1410	■	(P-4782; A-16504)	211.2410	■	(P-4782; A-16504)	211.4350	■
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211.1710	■	(P-4782; A-16504)	211.2710	■	(P-4782; A-16504)	211.4650	■
211.1730	■	(P-4782; A-16504)	211.2730	■	(P-4782; A-16504)	211.4670	■
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211.1850	■	(P-4782; A-16504)	211.2850	■	(P-4782; A-16504)	211.4790	■
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211.1890	■	(P-4782; A-16504)	211.2890	■	(P-4782; A-16504)	211.4830	■
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211.1990	■	(P-4782; A-16504)	211.2990	■	(P-4782; A-16504)	211.4930	■
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218.122 am	(P-4905; A-16636)	218.449	am	(P-4905; A-16636)
218.123 am	(P-4905; A-16636)	218.450	am	(P-4905; A-16636)
218.124 am	(P-4905; A-16636)	218.452	am	(P-4905; A-16636)
218.125 r	(P-4905; A-16636)	218.453	r	(P-4905; A-16636)
218.126 r	(P-4905; A-16636)	218.461	am	(P-4905; A-16636)
218.141 am	(P-4905; A-16636)	218.462	am	(P-4905; A-16636)
218.143 am	(P-4905; A-16636)	218.463	am	(P-4905; A-16636)
218.144 am	(P-4905; A-16636)	218.464	am	(P-4905; A-16636)
218.181 am	(P-4905; A-16636)	218.465	r	(P-4905; A-16636)
218.182 am	(P-4905; A-16636)			
218.183 am	(P-4905; A-16636)			
218.184 am	(P-4905; A-16636)			
218.185 r	(P-4905; A-16636)			
218.186 am	(P-4905; A-16636)			



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218.466	r	218.644	am
218.480	am	218.660	n
218.481	am	218.666	n
218.482	am	218.667	n
218.483	am	218.668	n
218.484	am	218.670	n
218.485	am	218.672	n
218.486	am	218.680	n
218.487	am	218.686	n
218.489	am	218.688	n
218.521	r	218.690	n
218.525	am	218.692	n
218.527	r	218.875	#
218.541	am	218.877	#
218.562	am	218.879	r
218.581	am	218.881	r
218.582	am	218.883	r
218.583	am	218.886	#
218.584	am	218.920	am
218.585	am		
218.586	am	218.923	am
218.601	am		r
218.602	am	218.926	am
218.603	am	218.927	am
218.604	r	218.928	am
218.605	r	218.940	am
218.606	r		
218.608	am	218.943	am
218.609	am		r
218.610	am	218.946	am
218.611	am		
		218.947	am
218.612	r	218.948	am
218.613	r	218.960	am
218.620	am		
		218.963	am
218.621	am		r
218.623	am	218.966	am
218.624	am	218.967	am
218.628	am	218.968	am
218.636	am	218.980	am
218.637	am		
218.640	#	218.983	am
218.640	am		r
218.642	#	218.986	am
218.644	#		

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218.987	am	219.304	am
218.988	am	219.401	am
218.990	am	219.402	am
218.991	am	219.403	am
		219.404	am
218.995	am	219.405	am
		219.421	am
218.995	am	219.422	am
218.995	am	219.423	am
218.995	am	219.424	am
218.995	am	219.425	am
218.995	am	219.426	am
218.995	am	219.427	am
218.995	am	219.428	am
218.995	am	219.429	am
218.995	am	219.430	r
218.995	am	219.441	am
218.995	am	219.443	am
218.995	am	219.445	am
218.995	am	219.446	am
218.995	am	219.447	am
218.995	am	219.449	am
218.995	am	219.450	am
218.995	am	219.452	am
218.995	am	219.453	r
218.995	am	219.461	am
218.995	am	219.462	am
218.995	am	219.463	am
218.995	am	219.464	am
218.995	am	219.465	r
218.995	am	219.466	r
218.995	am	219.480	am
218.995	am	219.481	am
218.995	am	219.482	am
218.995	am	219.483	am
218.995	am	219.485	am
218.995	am	219.486	am
218.995	am	219.487	am
218.995	am	219.489	am
218.995	am	219.521	r
218.995	am	219.525	am
218.995	am	219.527	r
218.995	am	219.541	am
218.995	am	219.562	am
218.995	am	219.581	am
218.995	am	219.582	am
218.995	am	219.583	am
218.995	am		

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219.584 am	(P-5169; A-16918)	219.967 am	(P-5169; A-16918)
219.585 am	(P-5169; A-16918)	219.968 am	(P-5169; C-6539; A-16918)
219.586 am	(P-5169; A-16918)		
	(E-8295)	219.980 am	(P-5169; A-16918)
219.601 am	(P-5169; A-16918)	219.983 am	(P-5169; A-16918)
219.602 am	(P-5169; A-16918)	219.986 am	(P-5169; A-16918)
219.603 am	(P-5169; A-16918)	219.987 am	(P-5169; A-16918)
219.604 r	(P-5169; A-16918)	219.988 am	(P-5169; A-16918)
219.605 r	(P-5169; A-16918)	219.990 am	(P-5169; A-16918)
219.606 r	(P-5169; A-16918)	219.991 am	(P-5169; A-16918)
219.608 am	(P-5169; A-16918)	219.992 am	(P-5169; A-16918)
219.609 am	(P-5169; A-16918)	219.993 am	(P-5169; A-16918)
219.610 am	(P-5169; A-16918)	219.994 am	(P-5169; A-16918)
219.611 am	(P-5169; A-16918)	219.995 am	(P-5169; A-16918)
219.612 r	(P-5169; A-16918)	219.996 am	(P-5169; A-16918)
219.613 r	(P-5169; A-16918)	219.997 am	(P-5169; A-16918)
219.620 am	(P-5169; A-16918)	219.998 am	(P-5169; A-16918)
219.621 am	(P-5169; A-16918)	219.999 am	(P-5169; A-16918)
219.623 am	(P-5169; A-16918)	219.1000 am	(P-5169; A-16918)
219.624 am	(P-5169; A-16918)	219.1001 am	(P-5169; A-16918)
219.628 am	(P-5169; A-16918)	219.1002 am	(P-5169; A-16918)
219.636 am	(P-5169; A-16918)	219.1003 am	(P-5169; A-16918)
219.637 am	(P-5169; A-16918)	219.1004 am	(P-5169; A-16918)
219.640 #	(P-5169; A-16918)	219.1005 am	(P-5169; A-16918)
219.640 am	(P-5169; A-16918)	219.1006 am	(P-5169; A-16918)
219.642 #	(P-5169; A-16918)	219.1007 am	(P-5169; A-16918)
219.644 #	(P-5169; A-16918)	219.1008 am	(P-5169; A-16918)
219.644 am	(P-5169; A-16918)	219.1009 am	(P-5169; A-16918)
219.875 #	(P-5169; A-16918)	219.1010 am	(P-5169; A-16918)
219.877 #	(P-5169; A-16918)	219.1011 am	(P-5169; A-16918)
219.879 r	(P-5169; A-16918)	219.1012 am	(P-5169; A-16918)
219.881 r	(P-5169; A-16918)	219.1013 am	(P-5169; A-16918)
219.883 r	(P-5169; A-16918)	219.1014 am	(P-5169; A-16918)
219.886 #	(P-5169; A-16918)	219.1015 am	(P-5169; A-16918)
219.920 am	(P-5169; A-16918)	219.1016 am	(P-5169; A-16918)
219.923 am	(P-5169; A-16918)	219.1017 am	(P-5169; A-16918)
219.926 am	(P-5169; A-16918)	219.1018 am	(P-5169; A-16918)
219.927 am	(P-5169; A-16918)	219.1019 am	(P-5169; A-16918)
219.928 am	(P-5169; A-16918)	219.1020 am	(P-5169; A-16918)
219.940 am	(P-5169; A-16918)	219.1021 am	(P-5169; A-16918)
219.943 am	(P-5169; A-16918)	219.1022 am	(P-5169; A-16918)
219.946 am	(P-5169; A-16918)	219.1023 am	(P-5169; A-16918)
219.947 am	(P-5169; A-16918)	219.1024 am	(P-5169; A-16918)
219.948 am	(P-5169; A-16918)	219.1025 am	(P-5169; A-16918)
219.960 am	(P-5169; A-16918)	219.1026 am	(P-5169; A-16918)
219.963 am	(P-5169; A-16918)	219.1027 am	(P-5169; A-16918)
219.966 am	(P-5169; A-16918)	219.1028 am	(P-5169; A-16918)

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254.131 n	(P-17195/92; A-7782)	270.411 n	(P-16325)
254.132 n	(P-17195/92; A-7782)	270.412 n	(P-16325)
254.133 n	(P-17195/92; A-7782)	270.413 n	(P-16325)
254.134 n	(P-17195/92; A-7782)	270.501 n	(P-16325)
254.135 n	(P-17195/92; A-7782)	270.502 n	(P-16325)
254.136 n	(P-17195/92; A-7782)	270.503 n	(P-16325)
254.201 n	(P-17195/92; A-7782)	270.504 n	(P-16325)
254.202 n	(P-17195/92; A-7782)	270.601 n	(P-16325)
254.203 n	(P-17195/92; A-7782)	270.602 n	(P-16325)
254.204 n	(P-17195/92; A-7782)	270.603 n	(P-16325)
254.301 n	(P-17195/92; A-7782)	270.604 n	(P-16325)
254.302 n	(P-17195/92; A-7782)	270.605 n	(P-16325)
254.303 n	(P-17195/92; A-7782)	270.606 n	(P-16325)
254.304 n	(P-17195/92; A-7782)	270.607 n	(P-16325)
254.305 n	(P-17195/92; A-7782)	270.608 n	(P-16325)
254.306 n	(P-17195/92; A-7782)	270.609 n	(P-16325)
254.401 n	(P-17195/92; A-7782)	303.400 n	(P-16374)
254.402 n	(P-17195/92; A-7782)	304.213 am	(P-15223)
254.403 n	(P-17195/92; A-7782)	307.1103 am	(P-9803)
254.404 n	(P-17195/92; A-7782)	307.2400 am	(P-9803)
270.101 n	(P-16325)	307.2402 am	(P-9803)
270.102 n	(P-16325)	307.2403 am	(P-9803)
270.103 n	(P-16325)	307.2404 am	(P-9803)
270.104 n	(P-16325)	307.2405 am	(P-9803)
270.105 n	(P-16325)	307.2406 am	(P-9803)
270.106 n	(P-16325)	307.2490 am	(P-9803)
270.107 n	(P-16325)	307.2491 am	(P-9803)
270.108 n	(P-16325)	320.101 n	(P-2469; A-11461)
270.201 n	(P-16325)	320.102 n	(P-2469; A-11461)
270.202 n	(P-16325)	320.103 n	(P-2469; A-11461)
270.301 n	(P-16325)	320.104 n	(P-2469; A-11461)
270.302 n	(P-16325)	320.105 n	(P-2469; A-11461)
270.303 n	(P-16325)	320.201 n	(P-2469; A-11461)
270.304 n	(P-16325)	320.202 n	(P-2469; A-11461)
270.305 n	(P-16325)	320.203 n	(P-2469; A-11461)
270.306 n	(P-16325)	320.204 n	(P-2469; A-11461)
270.307 n	(P-16325)	320.301 n	(P-2469; A-11461)
270.401 n	(P-16325)	320.302 n	(P-2469; A-11461)
270.402 n	(P-16325)	604.101 r	(P-7621; A-12648)
270.403 n	(P-16325)	604.102 r	(P-7621; A-12648)
270.404 n	(P-16325)	604.103 r	(P-7621; A-12648)
270.405 n	(P-16325)	604.104 r	(P-7621; A-12648)
270.406 n	(P-16325)	604.105 r	(P-7621; A-12648)
270.407 n	(P-16325)	604.401 r	(P-7621; A-12648)
270.408 n	(P-16325)	605.101 r	(P-2682; A-7943)
270.409 n	(P-16325)	605.102 r	(P-2682; A-7943)
270.409 n	(P-16325)	605.109 r	(P-7738; A-12780)

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611.101	am	(P-2533; A-7796)	611.612	am	(P-2533; A-7796)
		(P-7629; A-12650)			(P-7629; A-12650)
611.102	am	(P-2533; A-7796)	611.630	am	(P-2533; A-7796)
		(P-7629; A-12650)	611.640	am	(P-2533; A-7796)
611.107	n	(A-7796)	611.646	am	(P-7629; A-12650)
		(P-2533; A-7796)			(P-2533; A-12650)
611.110	am	(P-2533; A-7796)	611.647	am	(P-7629; A-12650)
		(P-7629; A-12650)	611.648	am	(P-2533; A-7796)
611.111	am	(P-2533; A-7796)			(P-2533; A-7796)
611.112	am	(P-2533; A-7796)			(P-2533; A-7796)
611.113	am	(P-2533; A-7796)			(P-2533; A-7796)
611.130	n	(P-2533; A-7796)	611.Ap.A	am	(P-7629; A-12650)
		(P-7629; A-12650)			(P-2533; A-7796)
611.240	am	(P-7629; A-12650)	611.Ap.E	n	(P-2533; A-7796)
		(P-2533; A-7796)	611.Tb.D	#	(P-2533; A-7796)
611.280	am	(P-2533; A-7796)	611.Tb.D	n	(P-2533; A-7796)
611.290	am	(P-2533; A-7796)	611.Tb.E	n	(P-2533; A-7796)
611.297	n	(P-2533; A-7796)	611.Tb.F	n	(P-2533; A-7796)
		(P-7629; A-12650)	611.Tb.G	n	(P-2533; A-7796)
611.300	am	(P-2533; A-7796)	611.Tb.Z	#	(P-2533; A-7796)
		(P-7629; A-12650)	611.Tb.Z	am	(P-2533; A-7796)
611.301	am	(P-2533; A-7796)			(P-7629; A-12650)
		(P-7629; A-12650)			(P-2533; A-7796)
611.310	am	(P-7629; A-12650)	615.105	am	(P-16465/92; A-1871)
		(P-2533; A-7796)	616.105	am	(P-16473/92; A-1878)
611.311	am	(P-7629; A-12650)	702.181	am	(P-16924/92; A-5769)
		(P-2533; A-7796)			(P-9417)
611.350	n	(P-2533; A-7796)	703.155	am	(P-9417)
		(P-7629; A-12650)	703.181	am	(P-9417)
611.351	n	(P-2533; A-7796)			(P-9417)
611.352	n	(P-2533; A-7796)	703.183	am	(P-16930/92; A-5774)
		(P-7629; A-12650)	703.203	am	(P-16930/92; A-5774)
611.353	n	(P-2533; A-7796)	703.204	am	(P-16930/92; A-5774)
		(P-7629; A-12650)	703.207	am	(P-9417)
611.354	n	(P-2533; A-7796)	703.280	am	(P-16930/92; A-5774)
611.355	n	(P-2533; A-7796)			(P-9417)
		(P-7629; A-12650)	703.Ap.A	am	(P-9417)
611.356	n	(P-2533; A-7796)			(P-16776/92; A-5625)
		(P-7629; A-12650)	720.110	am	(P-9170)
611.357	n	(P-2533; A-7796)			(P-9170)
		(P-7629; A-12650)	720.111	am	(P-9170)
611.358	n	(P-2533; A-7796)	721.102	am	(P-9193)
		(P-7629; A-12650)	721.103	am	(P-16801/92; A-5650)
611.359	n	(P-2533; A-7796)			(P-9193)
		(P-7629; A-12650)	721.104	am	(P-16801/92; A-5650)
611.360	n	(P-2533; A-7796)			(P-9193)
		(P-7629; A-12650)	721.105	am	(P-9193)
611.361	n	(P-2533; A-7796)	721.106	am	(P-9193)
		(P-7629; A-12650)	721.111	am	(P-16801/92; A-5650)
611.510	am	(P-7629; A-12650)	721.131	am	(P-9193)
		(P-2533; A-7796)	721.132	am	(P-9193)
611.521	am	(P-2533; A-7796)	721.132	am	(P-9193)
		(P-7629; A-12650)	721.Ap.B	am	(P-9193)
611.560	am	(P-2533; A-7796)	721.Ap.G	am	(P-9193)
		(P-7629; A-12650)			(P-7629; A-12650)
611.601	am	(P-7629; A-12650)			
611.603	am	(P-7629; A-12650)			
611.609	am	(P-7629; A-12650)			
611.611	am	(P-2533; A-7796)			
		(P-7629; A-12650)			

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		(P-9453)	725.212	am	(P-9245)
724.101	am	(P-16970/92; A-5806)	725.240	am	(P-9245)
		(P-9453)	725.242	am	(P-9245)
724.113	am	(P-16970/92; A-5806)	725.243	am	(P-9245)
		(P-9453)	725.245	am	(P-9245)
724.115	am	(P-16970/92; A-5806)	725.247	am	(P-9245)
		(P-9453)	725.321	am	(P-16831/92; A-5681)
724.119	n	(P-16970/92; A-5806)			(P-9245)
724.173	am	(P-16970/92; A-5806)	725.322	r	(P-16831/92; A-5681)
		(P-9453)	725.322	n	(P-16831/92; A-5681)
724.210	am	(P-9453)	725.323	r	(P-16831/92; A-5681)
724.212	am	(P-9453)	725.323	n	(P-16831/92; A-5681)
724.240	am	(P-9453)	725.324	n	(P-16831/92; A-5681)
		(P-9453)	725.326	am	(P-16831/92; A-5681)
724.242	am	(P-9453)	725.328	am	(P-16831/92; A-5681)
724.243	am	(P-9453)	725.354	am	(P-16831/92; A-5681)
724.245	am	(P-9453)	725.355	n	(P-16831/92; A-5681)
724.247	am	(P-9453)	725.359	n	(P-16831/92; A-5681)
724.251	am	(P-9453)	725.360	n	(P-16831/92; A-5681)
724.321	am	(P-16970/92; A-5806)	725.401	am	(P-16831/92; A-5681)
		(P-9453)	725.402	r	(P-16831/92; A-5681)
724.322	n	(P-16970/92; A-5806)	725.402	n	(P-16831/92; A-5681)
		(P-9453)	725.403	n	(P-16831/92; A-5681)
724.323	n	(P-16970/92; A-5806)	725.404	n	(P-16831/92; A-5681)
		(P-9453)	725.410	am	(P-16831/92; A-5681)
724.326	am	(P-16970/92; A-5806)	725.414	am	(P-9245)
		(P-9453)	725.416	am	(P-9245)
724.328	n	(P-16970/92; A-5806)	725.540	am	(P-9245)
		(P-9453)	725.541	am	(P-9245)
724.351	am	(P-16970/92; A-5806)	725.542	am	(P-9245)
		(P-9453)	725.543	am	(P-16831/92; A-5681)
724.352	n	(P-16970/92; A-5806)			(P-9245)
724.353	n	(P-16970/92; A-5806)	725.1100	n	(P-9245)
		(P-9453)	725.1101	n	(P-9245)
724.354	am	(P-16970/92; A-5806)	725.1102	n	(P-9245)
		(P-9453)	726.140	r	(P-9528)
724.401	am	(P-16970/92; A-5806)	726.141	r	(P-9528)
		(P-9453)	726.142	r	(P-9528)
724.402	n	(P-16970/92; A-5806)	726.143	r	(P-9528)
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728.105	am	(P-9317)	739.152	n	(P-9588)
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728.109	am	(P-9317)	739.154	n	(P-9588)
728.114	n	(P-9317)	739.155	n	(P-9588)
728.135	am	(P-16878/92; A-5727)	739.156	n	(P-9588)
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728.141	am	(P-16878/92; A-5727)	739.159	n	(P-9588)
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728.145	n	(P-9317)	739.162	n	(P-9588)
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400.1650	re	(A-4464)	450.270	re	(A-4475)
400.1660	re	(A-4464)	450.280	re	(A-4475)
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450.1130	re	(A-4475)
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140.230 am	(P-14017/92; W-9752)	125.120 n	(P-18879/92; A-6180)
140.232 am	(P-14352)	125.130 n	(P-18879/92; A-6180)
140.234 am	(P-14017/92; W-9752)	125.140 n	(P-18879/92; A-6180)
140.236 am	(P-14352)	130.10 r	(P-1; A-7212)
140.238 am	(P-14017/92; W-9752)	130.20 r	(P-1; A-7212)
140.240 am	(P-14352)	130.30 r	(P-1; A-7212)
140.241 n	(P-14017/92; W-9752)	130.40 r	(P-1; A-7212)
140.250 r	(E-11181)	130.50 r	(P-1; A-7212)
140.305 am	(P-14352)	130.60 r	(P-1; A-7212)
140.310 am	(P-14017/92; W-9752)	130.70 r	(P-1; A-7212)
140.390 am	(P-14352)	130.80 r	(P-1; A-7212)
140.400 am	(P-14017/92; W-9752)	130.90 r	(P-1; A-7212)
140.420 am	(P-14352)	130.100 r	(P-1; A-7212)
170.530 am	(E-1186)	130.110 r	(P-1; A-7212)
280.10 n	(P-15665/92; A-7214)	160.10 am	(P-15747)
280.20 n	(P-15665/92; A-7214)	160.30 am	(P-15747)
280.30 n	(P-15665/92; A-7214)	160.40 am	(P-15747)
280.40 n	(P-15665/92; A-7214)	160.50 am	(P-15747)
280.50 n	(P-15665/92; A-7214)	160.60 am	(P-15747)
280.60 n	(P-15665/92; A-7214)	160.70 am	(P-15747)
280.70 n	(P-15665/92; A-7214)	160.80 am	(P-15747)
280.75 n	(P-15665/92; A-7214)	310.401 am	(P-13659) (E-13805)
280.80 n	(P-15665/92; A-7214)	370.101 n	(P-11713/92; A-319)
TITLE 47		370.102 n	(P-11713/92; A-319)
100.30 am		370.103 n	(P-11713/92; A-319)
100.105 am		370.104 n	(P-11713/92; A-319)
100.Ap.A		370.105 n	(P-11713/92; A-319)
.II.A		370.106 n	(P-11713/92; A-319)
.II.B		370.107 n	(P-11713/92; A-319)
.II.C		370.108 n	(P-11713/92; A-319)
.II.D		370.109 n	(P-11713/92; A-319)
.II.E		370.110 n	(P-11713/92; A-319)
.II.F		370.111 n	(P-11713/92; A-319)
125.10 n		370.112 n	(P-11713/92; A-319)
125.20 n		370.113 n	(P-11713/92; A-319)
125.30 n		370.201 n	(P-11713/92; A-319)
125.40 n		370.202 n	(P-11713/92; A-319)
125.50 n		370.203 n	(P-11713/92; A-319)
125.60 n		370.204 n	(P-11713/92; A-319)
125.70 n		370.205 n	(P-11713/92; A-319)
125.80 n		370.206 n	(P-11713/92; A-319)
125.90 n		370.207 n	(P-11713/92; A-319)
125.100 n		370.208 n	(P-11713/92; A-319)
125.110 n		370.209 n	(P-11713/92; A-319)
TITLE 44		370.210 n	(P-11713/92; A-319)
1.100 am	(P-12808/92; A-600)	370.211 n	(P-11713/92; A-319)
1.350 am	(P-12808/92; A-600)	370.212 n	(P-11713/92; A-319)
1.515 n	(P-12808/92; A-600)		
1.530 am	(P-12808/92; A-600)		
1.610 am	(P-12808/92; A-600)		
1.620 am	(P-12808/92; A-600)		
1.630 am	(P-12808/92; A-600)		
1.630 am	(P-3926; A-14576)		
1.2215 am	(P-1697; A-8176)		
610.100 n	(P-1697; A-8176)		
610.110 n	(P-1697; A-8176)		
610.120 n	(P-1697; A-8176)		
610.200 n	(P-1697; A-8176)		







TITLE 59		TITLE 59 (CONT'D)	
101.75	n	121.45	n
103.10	am	121.50	n
103.11	n	121.55	n
103.15	n	121.60	n
103.20	am	121.65	n
103.25	n	121.70	n
103.30	n	121.75	n
103.40	r	121.80	n
103.50	am	121.85	n
103.60	am	121.90	n
103.65	am	121.95	n
103.70	am	121.100	n
103.80	am	121.105	n
103.90	am	121.110	n
103.95	n	121.115	n
103.100	am	121.120	n
103.110	am	121.130	n
103.120	am	121.135	n
103.130	am	121.140	n
103.140	r	121.145	n
103.150	am	121.150	n
103.160	am	121.155	n
103.165	am	121.160	n
103.170	am	121.165	n
103.180	am	121.170	am
103.190	am	121.175	am
103.200	r	121.180	am
103.210	n	121.185	am
119.120	am	121.190	am
119.260	am	121.195	am
119.270	n	121.200	am
119.300	am	121.205	am
121.10	n	121.210	am
121.15	n	121.215	am
121.20	n	121.220	am
121.25	n	121.225	am
121.30	n	121.230	am
121.35	n	121.235	am
121.40	n	121.240	am
		121.245	am
		121.250	am
		121.255	am
		121.260	am
		121.265	am
		121.270	am
		121.275	am
		121.280	am
		121.285	am
		121.290	am
		121.295	am
		121.300	am
		121.305	am
		121.310	am
		121.315	am
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		121.325	am
		121.330	am
		121.335	am
		121.340	am
		121.345	am
		121.350	am
		121.355	am
		121.360	am
		121.365	am
		121.370	am
		121.375	am
		121.380	am
		121.385	am
		121.390	am
		121.395	am
		121.400	am
		121.405	am
		121.410	am
		121.415	am
		121.420	am
		121.425	am
		121.430	am
		121.435	am
		121.440	am
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		121.450	am
		121.455	am
		121.460	am
		121.465	am
		121.470	am
		121.475	am
		121.480	am
		121.485	am
		121.490	am
		121.495	am
		121.500	am
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		121.640	am
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		121.655	am
		121.660	am
		121.665	am
		121.670	am
		121.675	am
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		121.685	am
		121.690	am
		121.695	am
		121.700	am
		121.705	am
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		121.850	am
		121.855	am
		121.860	am
		121.865	am
		121.870	am
		121.875	am
		121.880	am
		121.885	am
		121.890	am
		121.895	am
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		121.905	am
		121.910	am
		121.915	am
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		121.945	am
		121.950	am
		121.955	am
		121.960	am
		121.965	am
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		121.975	am
		121.980	am
		121.985	am
		121.990	am
		121.995	am
		122.000	am
		122.005	am
		122.010	am
		122.015	am
		122.020	am
		122.025	am
		122.030	am
		122.035	am
		122.040	am
		122.045	am
		122.050	am
		122.055	am
		122.060	am
		122.065	am
		122.070	am
		122.075	am
		122.080	am
		122.085	am
		122.090	am
		122.095	am
		122.100	am
		122.105	am
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		122.580	am
		122.585	am
		122.590	am
		122.595	am
		122.600	am
		122.605	am
		122.610	am
		122.615	am
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		122.630	am
		122.635	am
		122.640	am
		122.645	am
		122.650	am
		122.655	am
		122.660	am
		122.665	am
		122.670	am
		122.675	am
		122.680	am
		122.685	am
		122.690	am
		122.695	am
		122.700	am
		122.705	am
		122.710	am
		122.715	am
		122.720	am
		122.725	am
		122.730	am
		122.735	am
		122.740	am
		122.745	am
		122.750	am
		122.755	am
		122.760	am
		122.765	am
		122.770	am
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		122.835	am
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		122.855	am
		122.860	am
		122.865	am
		122.870	am
		122.875	am
		122.880	am
		122.885	am
		122.890	am
		122.895	am
		122.900	am
		122.905	am
		122.910	am
		122.915	am
		122.920	am
		122.925	am
		122.930	am
		122.935	am
		122.940	am
		122.945	am
		122.950	am
		122.955	am
		122.960	am
		122.965	am
		122.970	am
		122.975	am
		122.980	am
		122.985	am
		122.990	am
		122.995	am
		123.000	am
		123.005	am
		123.010	am
		123.015	am
		123.020	am
		123.025	am
		123.030	am

TITLE 62 (CONT'D)			TITLE 68 (CONT'D)		
1800.40	am	(P-10607/92; A-10916)	1848.6	n	(P-10669/92; A-10973)
1800.50	am	(P-10607/92; A-10916)	1848.7	n	(P-10669/92; A-10973)
1816.42	am	(P-10695/92; A-11001)	1848.8	n	(P-10669/92; A-10973)
1816.43	am	(P-10695/92; A-11001)	1848.9	n	(P-10669/92; A-10973)
1816.49	am	(P-10695/92; A-11001)	1848.11	n	(P-10669/92; A-10973)
1816.84	am	(P-10695/92; A-11001)	1848.12	n	(P-10669/92; A-10973)
1816.116	am	(P-10695/92; A-11001)	1848.13	n	(P-10669/92; A-10973)
1816.117	am	(P-10695/92; A-11001)	1848.15	n	(P-10669/92; A-10973)
1816.151	am	(P-10695/92; A-11001)	1848.16	n	(P-10669/92; A-10973)
1817.42	am	(P-10726/92; A-11031)	1848.17	n	(P-10669/92; A-10973)
1817.43	am	(P-10726/92; A-11031)	1848.18	n	(P-10669/92; A-10973)
1817.49	am	(P-10726/92; A-11031)	1848.19	n	(P-10669/92; A-10973)
1817.84	am	(P-10726/92; A-11031)	1848.20	n	(P-10669/92; A-10973)
1817.116	am	(P-10726/92; A-11031)	1848.21	n	(P-10669/92; A-10973)
1817.117	am	(P-10726/92; A-11031)	1848.22	n	(P-10669/92; A-10973)
1817.151	am	(P-10726/92; A-11031)	1480.130	am	(P-4149; A-11162)
1817.182	am	(P-10726/92; A-11031)	1480.150	am	(P-4149; A-11162)
1827.12	am	(P-10803/92; A-11091)	1480.190	am	(P-4149; A-11162)
1843.12	am	(P-10807/92; A-11095)	TITLE 68		
1843.13	am	(P-10807/92; A-11095)	590.5	am	(P-14765)
1843.14	am	(P-10807/92; A-11095)	590.30	am	(P-14765)
1843.15	am	(P-10807/92; A-11095)	610.10	am	(P-14775)
1843.16	r	(P-10807/92; A-11095)	610.20	r	(P-14775)
1843.17	r	(P-10807/92; A-11095)	610.30	am	(P-14775)
1843.20	r	(P-10807/92; A-11095)	610.40	am	(P-14775)
1843.21	r	(P-10807/92; A-11095)	610.60	am	(P-14775)
1845.12	am	(P-10619/92; A-10926)	750.1010	am	(P-15056/92; A-417)
1845.13	am	(P-10619/92; A-10926)	750.3000	am	(P-15056/92; A-417)
1845.17	am	(P-10619/92; A-10926)	750.3010	am	(P-15056/92; A-417)
1845.18	am	(P-10619/92; A-10926)	750.3055	am	(P-15056/92; A-417)
1845.19	r	(P-10619/92; A-10926)	750.4000	am	(P-15056/92; A-417)
1845.20	am	(P-10619/92; A-10926)	750.4010	am	(P-15056/92; A-417)
1846.17	am	(P-10691/92; A-10997)	1150.10	n	(P-11337)
1846.18	am	(P-10691/92; A-10997)	1150.20	am	(P-11337)
1847.1	n	(P-10596/92; A-10887)	1150.40	am	(P-17042/92; A-1554)
1847.2	n	(P-10596/92; A-10887)	1150.85	n	(P-11337)
1847.3	n	(P-10596/92; A-10887)	1150. Ap.A	n	(P-11337)
1847.4	n	(P-10596/92; A-10887)	1210.10	am	(P-16374/92; A-1535)
1847.5	n	(P-10596/92; A-10887)	1210.20	am	(P-16374/92; A-1535)
1847.6	n	(P-10596/92; A-10887)	1210.25	n	(P-16374/92; A-1535)
1847.7	n	(P-10596/92; A-10887)	1210.30	r	(P-16374/92; A-1535)
1847.8	n	(P-10596/92; A-10887)	1210.40	r	(P-16374/92; A-1535)
1847.9	n	(P-10596/92; A-10887)	1210.50	r	(P-16374/92; A-1535)
1848.1	n	(P-10669/92; A-10973)	1210.60	am	(P-16374/92; A-1535)
1848.2	n	(P-10669/92; A-10973)	1210.70	am	(P-16374/92; A-1535)
1848.3	n	(P-10669/92; A-10973)	1210.80	am	(P-16374/92; A-1535)
1848.5	n	(P-10669/92; A-10973)			

TITLE 68 (CONT'D)			TITLE 68 (CONT'D)		
1210.90	am	(P-16374/92; A-1535)	1210.90	am	(P-16374/92; A-1535)
1210.100	r	(P-16374/92; A-1535)	1210.105	n	(P-16374/92; A-1535)
1210.105	n	(P-16374/92; A-1535)	1210.110	am	(P-16374/92; A-1535)
1210.110	am	(P-16374/92; A-1535)	1210.120	r	(P-16374/92; A-1535)
1210.120	r	(P-16374/92; A-1535)	1210.130	r	(P-16374/92; A-1535)
1210.130	r	(P-16374/92; A-1535)	1210.140	am	(P-16374/92; A-1535)
1210.140	am	(P-16374/92; A-1535)	1210.150	am	(P-16374/92; A-1535)
1210.150	am	(P-16374/92; A-1535)	1210.160	am	(P-16374/92; A-1535)
1210.160	am	(P-16374/92; A-1535)	1210.170	am	(P-16374/92; A-1535)
1210.170	am	(P-16374/92; A-1535)	1210.180	am	(P-16374/92; A-1535)
1210.180	am	(P-16374/92; A-1535)	1210.190	am	(P-16374/92; A-1535)
1210.190	am	(P-16374/92; A-1535)	1210.200	r	(P-16374/92; A-1535)
1210.200	r	(P-16374/92; A-1535)	1210.210	r	(P-16374/92; A-1535)
1210.210	r	(P-16374/92; A-1535)	1210.220	r	(P-16374/92; A-1535)
1210.220	r	(P-16374/92; A-1535)	1210.230	r	(P-16374/92; A-1535)
1210.230	r	(P-16374/92; A-1535)	1210.235	am	(P-16374/92; A-1535)
1210.235	am	(P-16374/92; A-1535)	1210.240	am	(P-16374/92; A-1535)
1210.240	am	(P-16374/92; A-1535)	1210.250	r	(P-16374/92; A-1535)
1210.250	r	(P-16374/92; A-1535)	1220.100	n	(E-8309)
1220.100	n	(E-8309)	1220.110	am	(E-8309)
1220.110	am	(E-8309)	1220.120	am	(E-8309)
1220.120	am	(E-8309)	1220.160	am	(P-15762/92; A-1559)
1220.160	am	(P-15762/92; A-1559)	1220.170	n	(P-15762/92; A-1559)
1220.170	n	(P-15762/92; A-1559)	1220.220	am	(E-8309)
1220.220	am	(E-8309)	1220.240	am	(P-15762/92; A-1559)
1220.240	am	(P-15762/92; A-1559)	1220.260	am	(P-15762/92; A-1559)
1220.260	am	(P-15762/92; A-1559)	1220.270	n	(P-15762/92; A-1559)
1220.270	n	(P-15762/92; A-1559)	1220.360	n	(P-15762/92; A-1559)
1220.360	n	(P-15762/92; A-1559)	1220.435	r	(P-15762/92; A-1559)
1220.435	r	(P-15762/92; A-1559)	1220.440	n	(P-15762/92; A-1559)
1220.440	n	(P-15762/92; A-1559)	1220.525	n	(P-1708)
1220.525	n	(P-1708)	1220. Ap.B	am	(P-1708)
1220. Ap.B	am	(P-1708)	1220. Ap.C	am	(P-1708)
1220. Ap.C	am	(P-1708)	1240.5	r	(P-15775/92; A-1579)
1240.5	r	(P-15775/92; A-1579)	1240.10	am	(P-15775/92; A-1579)
1240.10	am	(P-15775/92; A-1579)	1240.15	am	(P-15775/92; A-1579)
1240.15	am	(P-15775/92; A-1579)	1240.50	am	(P-15775/92; A-1579)
1240.50	am	(P-15775/92; A-1579)	1240.51	am	(P-15775/92; A-1579)
1240.51	am	(P-15775/92; A-1579)	1250.110	am	(P-11315)
1250.110	am	(P-11315)	1250.120	am	(P-11315)
1250.120	am	(P-11315)	1250.130	am	(P-11315)
1250.130	am	(P-11315)	1250.135	am	(P-11315)

TITLE 68 (CONT'D)		TITLE 74 (CONT'D)		TITLE 77		TITLE 79	
1455.200 n	(P-15785/92; A-1589)	330.130 n	(P-10686) (E-11170)	900 n	(P-10677) (E-11168)	300.120 am	(P-12205)
1455.200 am	(P-16379)	330.140 n	(P-10686) (E-11170)			300.140 am	(P-12205)
1455.205 n	(P-16379)	730.10 r	(PP-1671; O-3057)			300.150 am	(P-12205)
1455.210 n	(P-15785/92; A-1589)	730.10 r	(P-3831; A-9999)			300.160 am	(P-12205)
	(P-16379)	730.20 n	(P-3831; A-9999)			300.175 am	(P-1346)
	(P-16379)	730.30 n	(P-3831; A-9999)			300.180 am	(P-1346)
1455.300 n	(P-15785/92; A-1589)	730.40 n	(P-3831; A-9999)			300.260 am	(P-2420) (P-6074; A-15106)
	(P-6612; A-13494)	740.5 n	(P-585; A-6663)				A-15106
	(P-16379)	740.10 am	(P-585; A-6663)			300.270 am	(P-1346)
1455.310 n	(P-15785/92; A-1589)	740.20 am	(P-585; A-6663)			300.271 n	(E-2420) (P-6074; A-15106)
1465.10 r	(P-890)	740.30 n	(P-585; A-6663)				A-15106
1465.30 am	(P-890)	750.10 r	(P-762; A-9079)			300.278 am	(P-6074; A-15106)
1465.35 n	(P-890)	750.10 n	(P-777; A-9081)				A-15106
1465.36 n	(P-890)	750.20 r	(P-762; A-9079)			300.282 am	(P-12205)
1465.80 n	(P-890)	750.20 n	(P-777; A-9081)			300.290 am	(E-2420) (P-6074; A-15106)
1465.90 am	(P-890)	750.30 r	(P-762; A-9079)				A-15106
1470.5 r	(P-8435)	750.30 n	(P-777; A-9081)			300.330 am	(E-8026) (P-10225)
1470.7 r	(P-8435)	750.40 r	(P-762; A-9079)			300.630 am	(P-1346)
1470.20 am	(P-8435)	750.40 n	(P-777; A-9081)			300.660 am	(P-1346)
1470.80 am	(P-8435)	750.41 r	(P-762; A-9079)			300.665 am	(P-1346)
1470.90 am	(P-8435)	750.50 r	(P-762; A-9079)			300.1035 n	(P-16541/92; A-16194)
1480.130 am	(P-4149)	750.50 n	(P-777; A-9081)			300.2860 am	(P-12205)
1480.150 am	(P-4149)	750.60 r	(P-762; A-9079)			300.3210 am	(P-1346)
1480.190 am	(P-4149)	750.70 r	(P-762; A-9079)			300.3330 am	(P-1346)
		750.70 n	(P-777; A-9081)			330.120 am	(P-12188)
		750.80 r	(P-762; A-9079)			330.140 am	(P-12188)
		750.80 n	(P-777; A-9081)			330.150 am	(P-12188)
		750.90 r	(P-762; A-9079)			330.160 am	(P-12188)
		750.90 n	(P-777; A-9081)			330.175 am	(P-1321)
		750.100 r	(P-762; A-9079)			330.180 am	(P-1321)
		750.100 n	(P-777; A-9081)			330.260 am	(E-2405) (P-6059; A-15089)
		750.110 r	(P-762; A-9079)				A-15089
		750.110 n	(P-777; A-9081)			330.270 am	(P-1321)
		750.120 r	(P-762; A-9079)			330.271 n	(E-2405) (P-6059; A-15089)
		750.120 n	(P-777; A-9081)				A-15089
		750.130 r	(P-762; A-9079)			330.278 am	(E-2405) (P-6059; A-15089)
		750.130 n	(P-777; A-9081)				A-15089
		750.140 r	(P-762; A-9079)			330.282 am	(P-12188)
		750.140 n	(P-777; A-9081)			330.290 am	(E-2405) (P-6059; A-15089)
		750.150 n	(P-762; A-9079)				A-15089
		750.150 r	(P-777; A-9081)			330.330 am	(E-8000) (P-10198)
		750.160 n	(P-762; A-9079)			330.730 am	(P-1321)
		750.1700 r	(P-762; A-9079)			330.916 r	(P-1321)
		750.1700 n	(P-777; A-9081)				(P-16531/92; A-16180)
		750.1800 r	(P-762; A-9079)			330.1125 n	(P-1321)
		750.1800 n	(P-777; A-9081)			330.4210 am	(P-1321)
		750.1900 r	(P-762; A-9079)			330.4330 am	(P-1321)
		750.1900 n	(P-777; A-9081)			350.110 am	(P-12104)
		750.2000 r	(P-762; A-9079)				(P-12104)
		750.2000 n	(P-777; A-9081)			350.120 am	(P-12104)
		750.2100 r	(P-762; A-9079)				
		750.2100 n	(P-777; A-9081)				
		750.2200 r	(P-762; A-9079)				
		750.2200 n	(P-777; A-9081)				
		750.2300 r	(P-762; A-9079)				
		750.2300 n	(P-777; A-9081)				



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TITLE 77 (CONT'D)	(P-12104)	390.685	(P-1296)	(P-16520/92; A-16167)	TITLE 77 (CONT'D)	(P-10911/92; A-8196)	597.300	(P-17529/92; A-13763)			
350.140	(P-12104)	390.1025	am	(P-12128)	535.435	(P-10911/92; A-8196)	597.310	(P-17529/92; A-13763)			
350.150	(P-12104)	390.2660	am	(P-1296)	535.440	(P-10911/92; A-8196)	597.320	(P-17529/92; A-13763)			
350.160	(P-1269)	390.3210	am	(P-1296)	535.500	(P-10911/92; A-8196)	600.100	(P-14806)			
350.175	(P-1269)	390.3330	am	(P-1296)	535.510	(P-10911/92; A-8196)		(P-14831)			
350.180	(P-1269)	395.100	am	(P-8066/92; A-2984)	535.515	(P-10911/92; A-8196)	600.110	(E-13115) (P-14831)			
350.260	(E-2373) (P-6028; A-15056)	395.110	am	(P-8066/92; A-2984)	535.520	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.270	(P-1269)	395.120	am	(P-8066/92; A-2984)	535.530	(P-10911/92; A-8196)	600.120	(E-13115) (P-14831)			
350.271	(E-2373) (P-6028; A-15056)	395.130	am	(P-8066/92; A-2984)	535.535	(P-10911/92; A-8196)	600.130	(E-13115) (P-14831)			
350.278	(E-2373) (P-6028; A-15056)	395.140	am	(P-8066/92; A-2984)	535.540	(P-10911/92; A-8196)	600.140	(E-13115) (P-14831)			
350.282	(P-1269)	395.150	am	(P-8066/92; A-2984)	535.600	(P-10911/92; A-8196)	600.200	(E-13115) (P-14831)			
350.290	(E-2373) (P-6028; A-15056)	395.160	am	(P-8066/92; A-2984)	535.650	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.330	(P-12104)	395.170	am	(P-8066/92; A-2984)	535.750	(P-10911/92; A-8196)	600.210	(E-13115) (P-14831)			
350.340	(E-2373) (P-6028; A-15056)	395.175	n	(P-8066/92; A-2984)	535.810	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.360	(P-1269)	395.180	am	(P-8066/92; A-2984)	535.1000	(P-10911/92; A-8196)	600.220	(E-13115) (P-14831)			
350.640	(E-7948) (P-10144)	395.190	am	(P-8066/92; A-2984)	540.65	(P-15023/92; A-8258)	600.230	(E-13115) (P-14831)			
350.680	(P-1269)	395.200	r	(P-8066/92; A-2984)	540.70	(P-15023/92; A-8258)	600.240	(E-13115) (P-14831)			
350.685	(P-1269)	395.300	am	(P-8066/92; A-2984)	540.80	(P-15023/92; A-8258)	600.250	(E-13115) (P-14831)			
350.1235	(P-1269)	395.400	am	(P-8066/92; A-2984)	540.90	(P-15023/92; A-8258)	600.300	(E-13115) (P-14831)			
350.2660	(P-12104)	505.10	n	(P-13406) (E-13631)	540.220	(P-12101) (E-12439)		(E-12918) (P-14806)			
350.3210	(P-1269)	505.20	n	(P-13406) (E-13631)	593.10	(P-11352)	600.310	(E-13115) (P-14831)			
350.3330	(P-1269)	505.30	n	(P-13406) (E-13631)	593.20	(P-11352)	600.320	(E-12918) (P-14806)			
350.3730	(P-4791/92; A-2351) (P-8781) (E-9105)	505.40	n	(P-13406) (E-13631)	593.30	(P-11352)		(E-13115) (P-14806)			
	(P-1269)	505.50	n	(P-13406) (E-13631)	593.100	(P-11352)	600.330	(E-13115) (P-14831)			
	(P-4791/92; A-2351) (P-8781) (E-9105)	505.50	n	(P-13406) (E-13631)	593.110	(P-11352)		(E-12918) (P-14806)			
350.1269	(P-1269)	535.10	am	(P-10911/92; A-8196)	593.120	(P-11352)	600.340	(E-13115) (P-14831)			
370.520	(P-8793) (E-9117)	535.20	am	(P-10911/92; A-8196)	593.130	(P-11352)	600.400	(E-13115) (P-14831)			
390.110	(P-12128)	535.100	am	(P-10911/92; A-8196)	593.140	(P-11352)		(E-12918) (P-14806)			
390.120	(P-12128)	535.150	am	(P-10911/92; A-8196)	593.200	(P-11352)	600.410	(E-12918) (P-14806)			
390.140	(P-12128)	535.200	am	(P-10911/92; A-8196)	593.210	(P-11352)		(E-13115) (P-14831)			
390.150	(P-12128)	535.210	am	(P-10911/92; A-8196)	593.220	(P-11352)	600.420	(E-12918) (P-14806)			
390.160	(P-12128)	535.215	am	(P-10911/92; A-8196)	593.230	(P-11352)	600.500	(E-13115) (P-14831)			
390.175	(P-12128)	535.216	n	(P-10911/92; A-8196)	593.240	(P-11352)		(E-12918) (P-14806)			
390.180	(P-1296)	535.220	r	(P-10911/92; A-8196)	595.10	(P-17447/92; A-13746)	600.510	(E-13115) (P-14831)			
390.260	(E-2390) (P-6044; A-15073)	535.230	am	(P-10911/92; A-8196)	595.100	(P-17447/92; A-13746)		(E-12918) (P-14806)			
390.270	(P-1296)	535.260	am	(P-10911/92; A-8196)	595.110	(P-17447/92; A-13746)	600.600	(E-13115) (P-14831)			
390.271	(E-2390) (P-6044; A-15073)	535.265	am	(P-10911/92; A-8196)	595.200	(P-17447/92; A-13746)	600.610	(E-13115) (P-14831)			
390.278	(P-1296)	535.270	am	(P-10911/92; A-8196)	595.300	(P-17447/92; A-13746)	600.700	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.310	am	(P-10911/92; A-8196)	595.310	(P-17447/92; A-13746)	600.710	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.315	am	(P-10911/92; A-8196)	595.320	(P-17447/92; A-13746)	600.720	(E-13115) (P-14831)			
390.282	(P-12128)	535.320	am	(P-10911/92; A-8196)	595.320	(P-17447/92; A-13746)	600.740	(E-13115) (P-14831)			
390.290	(E-2390) (P-6044; A-15073)	535.330	am	(P-10911/92; A-8196)	595.330	(P-17447/92; A-13746)	600.800	(E-13115) (P-14831)			
390.330	(P-12128)	535.340	am	(P-10911/92; A-8196)	597.10	(P-17529/92; A-13763)	600.810	(E-13115) (P-14831)			
390.340	(E-7974) (P-10171) (P-1296)	535.400	am	(P-10911/92; A-8196)	597.100	(P-17529/92; A-13763)	600.820	(E-13115) (P-14831)			
390.640	(P-1296)	535.410	am	(P-10911/92; A-8196)	597.110	(P-17529/92; A-13763)	600.830	(E-13115) (P-14831)			
390.680	(P-1296)	535.415	am	(P-10911/92; A-8196)	597.200	(P-17529/92; A-13763)	600.900	(E-13115) (P-14831)			
		535.420	am	(P-10911/92; A-8196)	597.210	(P-17529/92; A-13763)	600.910	(E-13115) (P-14831)			
		535.430	am	(P-10911/92; A-8196)	597.220	(P-17529/92; A-13763)		(E-13115) (P-14831)			

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TITLE 77 (CONT'D)	(P-12104)	390.685	(P-1296)	(P-16520/92; A-16167)	TITLE 77 (CONT'D)	(P-10911/92; A-8196)	597.300	(P-17529/92; A-13763)			
350.140 am	(P-12104)	390.1025 n	(P-1296)	(P-12128)	535.435 am	(P-10911/92; A-8196)	597.310 n	(P-17529/92; A-13763)			
350.150 am	(P-12104)	390.2660 am	(P-1296)	(P-1296)	535.440 am	(P-10911/92; A-8196)	597.320 n	(P-17529/92; A-13763)			
350.160 am	(P-1269)	390.3210 am	(P-1269)	(P-1296)	535.500 am	(P-10911/92; A-8196)	600.100 n	(P-14806)			
350.175 am	(P-1269)	390.3330 am	(P-1269)	(P-1296)	535.510 am	(P-10911/92; A-8196)		(P-14831)			
350.180 am	(P-1269)	395.100 am	(P-1269)	(P-8066/92; A-2984)	535.515 am	(P-10911/92; A-8196)	600.110 r	(E-13115) (P-14831)			
350.260 am	(E-2373) (P-6028; A-15056)	395.110 am	(E-2373) (P-6028; A-15056)	(P-8066/92; A-2984)	535.520 am	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.270 am	(P-1269)	395.130 am	(P-1269)	(P-8066/92; A-2984)	535.530 am	(P-10911/92; A-8196)	600.120 r	(E-13115) (P-14831)			
350.271 n	(E-2373) (P-6028; A-15056)	395.140 am	(E-2373) (P-6028; A-15056)	(P-8066/92; A-2984)	535.535 am	(P-10911/92; A-8196)	600.130 r	(E-13115) (P-14831)			
350.278 am	(E-2373) (P-6028; A-15056)	395.150 am	(E-2373) (P-6028; A-15056)	(P-8066/92; A-2984)	535.540 am	(P-10911/92; A-8196)	600.140 r	(E-13115) (P-14831)			
350.282 am	(P-12104)	395.160 am	(P-12104)	(P-8066/92; A-2984)	535.600 am	(P-10911/92; A-8196)	600.200 r	(E-13115) (P-14831)			
350.290 am	(E-2373) (P-6028; A-15056)	395.170 am	(E-2373) (P-6028; A-15056)	(P-8066/92; A-2984)	535.650 am	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.330 am	(A-15056)	395.175 n	(A-15056)	(P-8066/92; A-2984)	535.750 am	(P-10911/92; A-8196)	600.210 r	(E-13115) (P-14831)			
350.340 am	(E-7948) (P-10144)	395.180 am	(E-7948) (P-10144)	(P-8066/92; A-2984)	535.810 am	(P-10911/92; A-8196)		(E-12918) (P-14806)			
350.640 am	(P-1269)	395.190 am	(P-1269)	(P-8066/92; A-2984)	535.1000 n	(P-10911/92; A-8196)	600.220 r	(E-13115) (P-14831)			
350.680 am	(P-1269)	395.200 r	(P-1269)	(P-8066/92; A-2984)	540.65 am	(P-15023/92; A-8258)	600.230 r	(E-13115) (P-14831)			
350.685 am	(P-1269)	395.300 am	(P-1269)	(P-8066/92; A-2984)	540.70 am	(P-15023/92; A-8258)	600.240 r	(E-13115) (P-14831)			
350.1235 n	(P-1269)	395.400 am	(P-1269)	(P-8066/92; A-2984)	540.80 am	(P-15023/92; A-8258)	600.250 r	(E-13115) (P-14831)			
350.2660 am	(P-12104)	505.10 n	(P-12104)	(P-13406) (E-13631)	540.90 am	(P-15023/92; A-8258)	600.300 r	(E-13115) (P-14831)			
350.3210 am	(P-1269)	505.20 n	(P-1269)	(P-13406) (E-13631)	540.220 n	(P-12101) (E-12439)		(E-12918) (P-14806)			
350.3330 am	(P-1269)	505.30 n	(P-1269)	(P-13406) (E-13631)	593.10 n	(P-11352)	600.310 r	(E-13115) (P-14831)			
350.3730 am	(P-1269)	505.40 n	(P-1269)	(P-13406) (E-13631)	593.20 n	(P-11352)	600.320 r	(E-12918) (P-14806)			
	(P-4791/92; A-2351)	505.50 n	(P-4791/92; A-2351)	(P-13406) (E-13631)	593.30 n	(P-11352)		(E-13115) (P-14831)			
	(P-8781) (E-9105)	505.50 n	(P-8781) (E-9105)	(P-13406) (E-13631)	593.100 n	(P-11352)	600.330 r	(E-12918) (P-14806)			
	(P-1269)	535.10 am	(P-1269)	(P-13406) (E-13631)	593.110 n	(P-11352)		(E-13115) (P-14831)			
	(P-1269)	535.20 am	(P-1269)	(P-10911/92; A-8196)	593.120 n	(P-11352)	600.340 r	(E-12918) (P-14806)			
	(P-8793) (E-9117)	535.100 am	(P-8793) (E-9117)	(P-10911/92; A-8196)	593.130 n	(P-11352)	600.400 r	(E-13115) (P-14831)			
	(P-12128)	535.150 am	(P-12128)	(P-10911/92; A-8196)	593.140 n	(P-11352)		(E-13115) (P-14831)			
	(P-12128)	535.200 am	(P-12128)	(P-10911/92; A-8196)	593.200 n	(P-11352)	600.410 r	(E-12918) (P-14806)			
	(P-12128)	535.210 am	(P-12128)	(P-10911/92; A-8196)	593.210 n	(P-11352)		(E-13115) (P-14831)			
	(P-12128)	535.215 am	(P-12128)	(P-10911/92; A-8196)	593.220 n	(P-11352)	600.420 r	(E-12918) (P-14806)			
	(P-12128)	535.216 am	(P-12128)	(P-10911/92; A-8196)	593.230 n	(P-11352)	600.500 r	(E-13115) (P-14831)			
	(P-1296)	535.220 r	(P-1296)	(P-10911/92; A-8196)	593.240 n	(P-11352)		(E-12918) (P-14806)			
	(P-1296)	535.230 am	(P-1296)	(P-10911/92; A-8196)	595.10 am	(P-17447/92; A-13746)	600.510 r	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.260 am	(E-2390) (P-6044; A-15073)	(P-10911/92; A-8196)	595.100 am	(P-17447/92; A-13746)		(E-12918) (P-14806)			
	(P-1296)	535.270 am	(P-1296)	(P-10911/92; A-8196)	595.110 am	(P-17447/92; A-13746)	600.600 r	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.310 am	(E-2390) (P-6044; A-15073)	(P-10911/92; A-8196)	595.200 am	(P-17447/92; A-13746)	600.610 r	(E-13115) (P-14831)			
	(P-1296)	535.315 am	(P-1296)	(P-10911/92; A-8196)	595.300 am	(P-17447/92; A-13746)	600.700 r	(E-13115) (P-14831)			
	(A-15073)	535.320 am	(A-15073)	(P-10911/92; A-8196)	595.320 am	(P-17447/92; A-13746)	600.710 r	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.330 am	(E-2390) (P-6044; A-15073)	(P-10911/92; A-8196)	595.320 am	(P-17447/92; A-13746)	600.720 r	(E-13115) (P-14831)			
	(P-12128)	535.340 am	(P-12128)	(P-10911/92; A-8196)	595. Ap.A	(P-17447/92; A-13746)	600.740 r	(E-13115) (P-14831)			
	(E-2390) (P-6044; A-15073)	535.400 am	(E-2390) (P-6044; A-15073)	(P-10911/92; A-8196)	595. Ap.B	(P-17447/92; A-13746)	600.800 r	(E-13115) (P-14831)			
	(A-15073)	535.410 am	(A-15073)	(P-10911/92; A-8196)	597.10 n	(P-17529/92; A-13763)	600.810 r	(E-13115) (P-14831)			
	(E-7974) (P-10171)	535.415 am	(E-7974) (P-10171)	(P-10911/92; A-8196)	597.100 n	(P-17529/92; A-13763)	600.820 r	(E-13115) (P-14831)			
	(P-1296)	535.420 am	(P-1296)	(P-10911/92; A-8196)	597.110 n	(P-17529/92; A-13763)	600.830 r	(E-13115) (P-14831)			
	(P-1296)	535.430 am	(P-1296)	(P-10911/92; A-8196)	597.200 n	(P-17529/92; A-13763)	600.900 r	(E-13115) (P-14831)			
					597.210 n	(P-17529/92; A-13763)	600.910 r	(E-13115) (P-14831)			



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697.30	am	(E-1204) (P-2687; A-15899)	790.620	r
750.540	am	(P-723)		(E-7283)
750.1810	am	(P-723)	790.630	r
750.1820	am	(P-723)		(P-7198; A-15916)
750.1830	am	(P-723)	790.660	r
750.1855	n	(P-723)		(E-7283)
750.1865	am	(P-723)	790.700	r
750.Ap.B	am	(P-723)		(P-7198; A-15916)
750.Ap.C	am	(P-723)	790.706	r
750.Ap.E	n	(P-723)		(E-7283)
775.10	am	(P-906; A-14015)	790.721	am
775.20	am	(P-906; A-14015)		(P-17496/92; W-7075)
775.70	am	(P-906; A-14015)		(P-7198; A-15916)
775.110	am	(P-906; A-14015)	790.740	am
775.140	am	(P-906; A-14015)		(E-7283)
775.150	n	(P-906; A-14015)	790.756	r
785.110	am	(P-920; A-14027)		(P-7198; A-15916)
785.120	am	(P-920; A-14027)	790.760	r
785.200	am	(P-920; A-14027)		(E-7283)
785.290	am	(P-920; A-14027)	790.780	r
785.300	am	(P-920; A-14027)		(P-7198; A-15916)
785.355	n	(P-920; A-14027)	790.788	r
785.578	n	(P-920; A-14027)		(E-7283)
785.1210	n	(P-920; A-14027)	790.798	r
785.1220	n	(P-920; A-14027)		(E-7283)
790.20	am	(P-7198; A-15916)	790.799	r
		(E-7283)		(P-7198; A-15916)
790.40	am	(P-7198; A-15916)	790.815	r
		(E-7283)		(P-7198; A-15916)
790.420	r	(P-7198; A-15916)	790.820	r
		(E-7283)		(E-7283)
790.460	r	(P-7198; A-15916)	790.830	r
		(E-7283)		(P-7198; A-15916)
790.480	r	(P-7198; A-15916)	790.860	am
		(E-7283)		(P-17496/92; W-7075)
790.500	am	(P-7198; A-15916)		(P-7198; A-15916)
	r	(E-7283)	790.900	r
		(E-7283)		(P-7198; A-15916)
790.540	am	(P-17496/92; W-7075)	790.905	r
	r	(P-7198; A-15916)		(P-7198; A-15916)
		(E-7283)		(E-7283)
790.548	r	(P-7198; A-15916)	790.910	r
		(E-7283)		(P-7198; A-15916)
790.580	r	(P-7198; A-15916)	790.920	r
		(E-7283)		(E-7283)
790.600	r	(P-7198; A-15916)	790.940	r
		(E-7283)		(P-7198; A-15916)

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790.974	am	790.1388	am
	r		r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.980	r		
			(P-7198; A-15916) (E-7283)
790.1020	r	790.1390	am
			r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1060	r	790.1418	am
			r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1100	r	790.1420	r
			(P-7198; A-15916) (E-7283)
790.1107	r	790.1423	r
			(P-7198; A-15916) (E-7283)
790.1112	r	790.1425	r
			(P-7198; A-15916) (E-7283)
790.1120	r	790.1440	r
			(P-7198; A-15916) (E-7283)
790.1125	r	790.1460	r
			(P-7198; A-15916) (E-7283)
790.1127	r	790.1490	r
			(P-7198; A-15916) (E-7283)
790.1129	r	790.1500	r
			(P-7198; A-15916) (E-7283)
790.1131	r	790.1540	r
			(P-7198; A-15916) (E-7283)
790.1140	r	790.1560	am
			r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1180	r		
			(P-7198; A-15916) (E-7283)
790.1200	r	790.1565	n
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1220	r	790.1570	r
			(P-7198; A-15916) (E-7283)
790.1260	r	790.1573	r
			(P-7198; A-15916) (E-7283)
790.1300	r	790.1577	am
			r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1345	r	790.1580	r
			(P-7198; A-15916) (E-7283)
790.1350	am	790.1620	r
			(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1360	r	790.1660	r
			(P-7198; A-15916) (E-7283)
790.1380	r	790.1685	r
			(P-7198; A-15916) (E-7283)
790.1386	r	790.1686	r
			(P-7198; A-15916) (E-7283)



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790.1697	r	(P-7198; A-15916) (E-7283)	r	(P-7198; A-15916) (E-7283)	790.2660 r (P-7198; A-15916) (E-7283)
790.1700	r	(P-7198; A-15916) (E-7283)	790.1960 am	(P-17496/92; W-7075) (P-7198; A-15916)	790.2661 am (P-17496/92; W-7075) (P-7198; A-15916)
790.1706	r	(P-7198; A-15916) (E-7283)	r	(E-7283)	r (E-7283)
790.1708	r	(P-7198; A-15916) (E-7283)	790.1980 r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.2662 am (P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1710	r	(P-7198; A-15916) (E-7283)	790.2020 r	(P-7198; A-15916) (E-7283)	r (E-7283)
790.1719	r	(P-7198; A-15916) (E-7283)	790.2060 r	(P-7198; A-15916) (E-7283)	790.2663 r (P-7198; A-15916) (E-7283)
790.1721	r	(P-7198; A-15916) (E-7283)	790.2084 r	(P-7198; A-15916) (E-7283)	790.2668 r (P-7198; A-15916) (E-7283)
790.1740	r	(P-7198; A-15916) (E-7283)	790.2086 n	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.2672 r (P-7198; A-15916) (E-7283)
790.1780	r	(P-7198; A-15916) (E-7283)	790.2092 r	(P-7198; A-15916) (E-7283)	790.2700 r (P-7198; A-15916) (E-7283)
790.1820	r	(P-7198; A-15916) (E-7283)	790.2097 r	(P-7198; A-15916) (E-7283)	790.2740 r (P-7198; A-15916) (E-7283)
790.1835	r	(P-7198; A-15916) (E-7283)	790.2100 r	(P-7198; A-15916) (E-7283)	790.2780 r (P-7198; A-15916) (E-7283)
790.1842	r	(P-7198; A-15916) (E-7283)	790.2130 r	(P-7198; A-15916) (E-7283)	790.2800 r (P-7198; A-15916) (E-7283)
790.1846	r	(P-7198; A-15916) (E-7283)	790.2140 r	(P-7198; A-15916) (E-7283)	790.2805 r (P-7198; A-15916) (E-7283)
790.1848	r	(P-7198; A-15916) (E-7283)	790.2155 r	(P-7198; A-15916) (E-7283)	790.2820 r (P-7198; A-15916) (E-7283)
790.1856	r	(P-7198; A-15916) (E-7283)	790.2180 r	(P-7198; A-15916) (E-7283)	790.2860 r (P-7198; A-15916) (E-7283)
790.1858	r	(P-7198; A-15916) (E-7283)	790.2220 r	(P-7198; A-15916) (E-7283)	790.2900 r (P-7198; A-15916) (E-7283)
790.1859	n	(P-17496/92; W-7075) (P-7198; A-15916)	790.2260 r	(P-7198; A-15916) (E-7283)	790.2902 r (P-7198; A-15916) (E-7283)
790.1860	r	(P-7198; A-15916) (E-7283)	790.2300 r	(P-7198; A-15916) (E-7283)	790.2904 r (P-7198; A-15916) (E-7283)
790.1870	r	(P-7198; A-15916) (E-7283)	790.2340 r	(P-7198; A-15916) (E-7283)	790.2908 r (P-7198; A-15916) (E-7283)
790.1900	r	(P-7198; A-15916) (E-7283)	790.2380 r	(P-7198; A-15916) (E-7283)	790.2915 r (P-7198; A-15916) (E-7283)
790.1930	am	(P-17496/92; W-7075) (P-7198; A-15916)	790.2390 r	(P-7198; A-15916) (E-7283)	790.2928 am (P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1940	r	(P-7198; A-15916) (E-7283)	790.2420 r	(P-7198; A-15916) (E-7283)	790.2932 am (P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.1950	am	(P-17496/92; W-7075) (E-7283)	790.2460 r	(P-7198; A-15916) (E-7283)	790.2940 r (P-7198; A-15916) (E-7283)
					790.2980 r (P-7198; A-15916) (E-7283)

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790.3020	r	(P-7198; A-15916) (E-7283)	790.3235 790.3260	n r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.3021	r	(P-7198; A-15916) (E-7283)	790.3300	r	(P-7198; A-15916) (E-7283)
790.3023	r	(P-7198; A-15916) (E-7283)	790.3308	am r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.3025	r	(P-7198; A-15916) (E-7283)			
790.3027	am r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.3315	r	(P-7198; A-15916) (E-7283)
790.3028	r	(P-7198; A-15916) (E-7283)	790.3335	r	(P-7198; A-15916) (E-7283)
790.3029	r	(P-7198; A-15916) (E-7283)	790.3337 790.3340	n r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.3030	r	(P-7198; A-15916) (E-7283)	790.3350	r	(P-7198; A-15916) (E-7283)
790.3032	r	(P-7198; A-15916) (E-7283)	790.3380	r	(P-7198; A-15916) (E-7283)
790.3033	r	(P-7198; A-15916) (E-7283)	790.3420	am r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.3038	r	(P-7198; A-15916) (E-7283)	790.3425	r	(P-7198; A-15916) (E-7283)
790.3042	r	(P-7198; A-15916) (E-7283)	790.3437	r	(P-7198; A-15916) (E-7283)
790.3048	r	(P-7198; A-15916) (E-7283)	790.3440	r	(P-7198; A-15916) (E-7283)
790.3049	r	(P-7198; A-15916) (E-7283)	790.3460	r	(P-7198; A-15916) (E-7283)
790.3051	r	(P-7198; A-15916) (E-7283)	790.3472	r	(P-7198; A-15916) (E-7283)
790.3054	r	(P-7198; A-15916) (E-7283)	790.3475	r	(P-7198; A-15916) (E-7283)
790.3056	r	(P-7198; A-15916) (E-7283)	790.3488	r	(P-7198; A-15916) (E-7283)
790.3060	r	(P-7198; A-15916) (E-7283)	790.3492	r	(P-7198; A-15916) (E-7283)
790.3085	r	(P-7198; A-15916) (E-7283)	790.3500	r	(P-7198; A-15916) (E-7283)
790.3100	r	(P-7198; A-15916) (E-7283)	790.3540	r	(P-7198; A-15916) (E-7283)
790.3140	r	(P-7198; A-15916) (E-7283)	790.3580	r	(P-7198; A-15916) (E-7283)
790.3180	r	(P-7198; A-15916) (E-7283)	790.3620	r	(P-7198; A-15916) (E-7283)
790.3220	r	(P-7198; A-15916) (E-7283)			

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790.3700	r	(P-7198; A-15916) (E-7283)	790.4012	r	(P-7198; A-15916) (E-7283)	
790.3720	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.4020	r	(P-7198; A-15916) (E-7283)	
790.3730	r	(P-7198; A-15916) (E-7283)	790.4040	r	(P-7198; A-15916) (E-7283)	
790.3740	r	(P-7198; A-15916) (E-7283)	790.4060	r	(P-7198; A-15916) (E-7283)	
790.3742	r	(P-7198; A-15916) (E-7283)	790.4100	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	
790.3780	r	(P-7198; A-15916) (E-7283)	790.4140	r	(P-7198; A-15916) (E-7283)	
790.3800	r	(P-7198; A-15916) (E-7283)	790.4150	r	(P-7198; A-15916) (E-7283)	
790.3820	r	(P-7198; A-15916) (E-7283)	790.4173	r	(P-7198; A-15916) (E-7283)	
790.3860	r	(P-7198; A-15916) (E-7283)	790.4180	r	(P-7198; A-15916) (E-7283)	
790.3900	r	(P-7198; A-15916) (E-7283)	790.4200	r	(P-7198; A-15916) (E-7283)	
790.3902	n	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.4220	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	
790.3904	r	(P-7198; A-15916) (E-7283)	790.4260	r	(P-7198; A-15916) (E-7283)	
790.3907	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.4300	r	(P-7198; A-15916) (E-7283)	
790.3910	r	(P-7198; A-15916) (E-7283)	790.4340	r	(P-7198; A-15916) (E-7283)	
790.3914	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.4380	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	
790.3920	r	(P-7198; A-15916) (E-7283)	790.4382	#	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	
790.3945	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.4384	#	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	
790.3940	r	(P-7198; A-15916) (E-7283)	790.4385	r	(P-7198; A-15916) (E-7283)	
790.3945	r	(P-7198; A-15916) (E-7283)	790.4386	r	(P-7198; A-15916) (E-7283)	
790.3960	r	(P-7198; A-15916) (E-7283)	790.4396	r	(P-7198; A-15916) (E-7283)	
790.3980	r	(P-7198; A-15916) (E-7283)				

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## TITLE 77 (CONT'D)

790.4398	r	(P-7198; A-15916) (E-7283)	790.4900	am	(E-7283)
790.4420	r	(P-7198; A-15916) (E-7283)	790.4940	r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.4430	r	(P-7198; A-15916) (E-7283)	790.4960	r	(P-7198; A-15916) (E-7283)
790.4360	r	(P-7198; A-15916) (E-7283)	790.4963	r	(P-7198; A-15916) (E-7283)
790.4395	r	(P-7198; A-15916) (E-7283)	790.4965	r	(P-7198; A-15916) (E-7283)
790.4500	r	(P-7198; A-15916) (E-7283)	790.4980	r	(P-7198; A-15916) (E-7283)
790.4540	r	(P-7198; A-15916) (E-7283)	790.5020	r	(P-7198; A-15916) (E-7283)
790.4580	r	(P-7198; A-15916) (E-7283)	790.5030	r	(P-7198; A-15916) (E-7283)
790.4620	r	(P-7198; A-15916) (E-7283)	790.5060	r	(P-7198; A-15916) (E-7283)
790.4660	r	(P-7198; A-15916) (E-7283)	790.5100	r	(P-7198; A-15916) (E-7283)
790.4665	r	(P-7198; A-15916) (E-7283)	790.5140	r	(P-7198; A-15916) (E-7283)
790.4667	r	(P-7198; A-15916) (E-7283)	790.5180	r	(P-7198; A-15916) (E-7283)
790.4670	r	(P-7198; A-15916) (E-7283)	790.5220	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.4680	r	(P-7198; A-15916) (E-7283)	790.5260	r	(P-7198; A-15916) (E-7283)
790.4700	r	(P-7198; A-15916) (E-7283)	790.5300	r	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.4720	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.5312	r	(P-7198; A-15916) (E-7283)
790.4725	r	(P-7198; A-15916) (E-7283)	790.5320	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.4728	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.5340	r	(P-7198; A-15916) (E-7283)
790.4740	r	(P-7198; A-15916) (E-7283)	790.5380	r	(P-7198; A-15916) (E-7283)
790.4780	r	(P-7198; A-15916) (E-7283)	790.5420	r	(P-7198; A-15916) (E-7283)
790.4820	r	(P-7198; A-15916) (E-7283)	790.5460	r	(P-7198; A-15916) (E-7283)
790.4840	r	(P-7198; A-15916) (E-7283)	790.5483	r	(P-7198; A-15916) (E-7283)
790.4860	r	(P-7198; A-15916) (E-7283)			

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## TITLE 77 (CONT'D)

790.5500	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.5830	r	(P-7198; A-15916) (E-7283)
790.5520	r	(P-7198; A-15916) (E-7283)	790.5835	r	(P-7198; A-15916) (E-7283)
790.5530	r	(P-7198; A-15916) (E-7283)	790.5837	r	(P-7198; A-15916) (E-7283)
790.5540	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.5840	r	(P-7198; A-15916) (E-7283)
790.5544	r	(P-7198; A-15916) (E-7283)	790.5860	r	(P-7198; A-15916) (E-7283)
790.5555	r	(P-7198; A-15916) (E-7283)	790.5872	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.5560	r	(P-7198; A-15916) (E-7283)	790.5893	r	(P-7198; A-15916) (E-7283)
790.5580	r	(P-7198; A-15916) (E-7283)	790.5900	r	(P-7198; A-15916) (E-7283)
790.5620	r	(P-7198; A-15916) (E-7283)	790.5924	r	(P-7198; A-15916) (E-7283)
790.5640	r	(P-7198; A-15916) (E-7283)	790.5940	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.5660	r	(P-7198; A-15916) (E-7283)	790.5980	r	(P-7198; A-15916) (E-7283)
790.5700	r	(P-7198; A-15916) (E-7283)	790.5992	r	(P-7198; A-15916) (E-7283)
790.5720	r	(P-7198; A-15916) (E-7283)	790.5996	r	(P-7198; A-15916) (E-7283)
790.5740	r	(P-7198; A-15916) (E-7283)	790.6020	r	(P-7198; A-15916) (E-7283)
790.5780	r	(P-7198; A-15916) (E-7283)	790.6060	r	(P-7198; A-15916) (E-7283)
790.5788	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)	790.6100	r	(P-7198; A-15916) (E-7283)
790.5792	r	(P-7198; A-15916) (E-7283)	790.6140	r	(P-7198; A-15916) (E-7283)
790.5795	r	(P-7198; A-15916) (E-7283)	790.6180	am	(P-17496/92; W-7075) (P-7198; A-15916) (E-7283)
790.5800	r	(P-7198; A-15916) (E-7283)	790.6220	r	(P-7198; A-15916) (E-7283)
790.5802	r	(P-7198; A-15916) (E-7283)	790.6260	r	(P-7198; A-15916) (E-7283)
790.5807	r	(P-7198; A-15916) (E-7283)	790.6275	r	(P-7198; A-15916) (E-7283)
790.5820	r	(P-7198; A-15916) (E-7283)	790.6277	r	(P-7198; A-15916) (E-7283)

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TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
790.6280	am	(P-17496/92; W-7075) (P-7198; A-15916)	790.6580	am	(E-7283) (P-17496/92; W-7075)
	r	(E-7283)		r	(P-7198; A-15916)
790.6284	r	(P-7198; A-15916)	790.6610	am	(E-7283)
		(E-7283)		r	(P-17496/92; W-7075)
790.6300	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6620	r	(E-7283)
790.6340	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6621	r	(E-7283)
790.6370	am	(P-17496/92; W-7075)			(P-7198; A-15916)
	r	(P-7198; A-15916)	790.6660	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6375	r	(P-7198; A-15916)	790.6670	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6380	r	(P-7198; A-15916)	790.6700	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6420	r	(P-7198; A-15916)	790.6740	am	(P-17496/92; W-7075)
		(E-7283)		r	(P-7198; A-15916)
790.6430	am	(P-17496/92; W-7075)	790.6740	r	(E-7283)
	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6780	r	(E-7283)
790.6435	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6800	r	(E-7283)
790.6445	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6820	r	(E-7283)
790.6450	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6860	r	(E-7283)
790.6452	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6875	r	(E-7283)
790.6454	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6885	r	(E-7283)
790.6456	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6895	r	(E-7283)
790.6460	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6900	r	(E-7283)
790.6480	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6940	r	(E-7283)
790.6500	r	(P-7198; A-15916)			(P-7198; A-15916)
		(E-7283)	790.6946	r	(E-7283)
790.6505	am	(P-17496/92; W-7075)			(P-7198; A-15916)
	r	(P-7198; A-15916)	790.6960	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6540	r	(P-7198; A-15916)	790.6980	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6544	r	(P-7198; A-15916)	790.7020	r	(E-7283)
		(E-7283)			(P-7198; A-15916)
790.6570	r	(P-7198; A-15916)	790.7060	r	(E-7283)
		(E-7283)			(P-7198; A-15916)

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TITLE 77 (CONT'D)		(E-7283)		TITLE 77 (CONT'D)		(P-7198; A-15916)	
790.7980	r	(P-7198; A-15916)	790.8580	am	(P-17496/92; W-7075)	790.9056	r
		(E-7283)		r	(P-7198; A-15916)		(E-7283)
790.8015	r	(P-7198; A-15916)			(E-7283)	790.9060	r
		(E-7283)	790.8590	r	(P-7198; A-15916)		(E-7283)
790.8020	r	(P-7198; A-15916)			(E-7283)	790.9070	am
		(E-7283)					r
790.8030	am	(P-17496/92; W-7075)	790.8620	r	(P-7198; A-15916)		(P-7198; A-15916)
790.8060	r	(P-7198; A-15916)			(E-7283)	790.9084	r
		(E-7283)	790.8660	r	(P-7198; A-15916)		(E-7283)
790.8100	r	(P-7198; A-15916)			(E-7283)	790.9100	r
		(E-7283)	790.8700	r	(P-7198; A-15916)		(E-7283)
790.8106	r	(P-7198; A-15916)			(E-7283)	790.9140	r
		(E-7283)	790.8710	am	(P-17496/92; W-7075)		(E-7283)
790.8136	r	(P-7198; A-15916)		r	(P-7198; A-15916)	790.9180	r
		(E-7283)			(E-7283)		(E-7283)
790.8140	r	(P-7198; A-15916)	790.8724	r	(P-7198; A-15916)	790.9220	r
		(E-7283)			(E-7283)		(E-7283)
790.8180	r	(P-7198; A-15916)	790.8727	r	(P-7198; A-15916)	790.9260	r
		(E-7283)			(E-7283)		(E-7283)
790.8220	r	(P-7198; A-15916)	790.8740	r	(P-7198; A-15916)	790.9300	r
		(E-7283)			(E-7283)		(E-7283)
790.8232	r	(P-7198; A-15916)	790.8780	r	(P-7198; A-15916)	790.9320	r
		(E-7283)			(E-7283)		(E-7283)
790.8244	r	(P-7198; A-15916)	790.8820	r	(P-7198; A-15916)	790.9340	r
		(E-7283)			(E-7283)		(E-7283)
790.8248	am	(P-17496/92; W-7075)	790.8835	n	(P-17496/92; W-7075)	790.9380	r
	r	(P-7198; A-15916)	790.8860	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9420	r
790.8260	r	(P-7198; A-15916)	790.8900	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9460	r
790.8290	r	(P-7198; A-15916)	790.8940	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9475	r
790.8300	r	(P-7198; A-15916)	790.8980	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9478	r
790.8340	r	(P-7198; A-15916)	790.9020	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9486	r
790.8378	r	(P-7198; A-15916)	790.9035	r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9500	am
790.8380	r	(P-7198; A-15916)	790.9045	am	(P-17496/92; W-7075)		(P-17496/92; W-7075)
		(E-7283)		r	(P-7198; A-15916)		(E-7283)
790.8420	r	(P-7198; A-15916)	790.9048	r	(P-7198; A-15916)	790.9520	am
		(E-7283)			(E-7283)		r
790.8460	r	(P-7198; A-15916)			(E-7283)		(E-7283)
		(E-7283)	790.9050	am	(P-17496/92; W-7075)	790.9530	r
790.8500	r	(P-7198; A-15916)		r	(P-7198; A-15916)		(E-7283)
		(E-7283)			(E-7283)	790.9540	r
790.8540	r	(P-7198; A-15916)			(E-7283)		(E-7283)

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TITLE 77 (CONT'D)	900.40 am	(P-10870/92; A-4388)	1130.640 am	(P-4755/92; A-5882)	TITLE 77 (CONT'D)
	900.50 am	(P-10870/92; A-4388)	1130.710 am	(P-4755/92; A-5882)	
	900.60 am	(P-10870/92; A-4388)	1130.720 am	(P-4755/92; A-5882)	
	900.65 am	(P-10870/92; A-4388)	1130.730 am	(P-4755/92; A-5882)	
	900.70 am	(P-10870/92; A-4388)	1130.740 am	(P-4755/92; A-5882)	
	900.75 am	(P-10870/92; A-4388)	1130.750 am	(P-15321/92; A-4448)	
	900.Tb.E n	(P-10870/92; A-4388)	1130.760 am	(P-4755/92; A-5882)	
	900.Tb.F n	(P-10870/92; A-4388)	1130.770 am	(P-4755/92; A-5882)	
	900.Tb.G n	(P-10870/92; A-4388)	1130.780 am	(P-4755/92; A-5882)	
	900.Tb.H n	(P-10870/92; A-4388)	1130.Ap.A am	(P-4755/92; O-1242;	
	900.Tb.I n	(P-10870/92; A-4388)		R-5951; A-5882)	
	Ex.A n	(P-10870/92; A-4388)	1230.10 r	(P-5187/92; A-5878)	
	Ex.B n	(P-10870/92; A-4388)	1230.20 r	(P-5187/92; A-5878)	
	Ex.C n	(P-10870/92; A-4388)	1230.30 r	(P-5187/92; A-5878)	
	Ex.D n	(P-10870/92; A-4388)	1230.110 r	(P-5187/92; A-5878)	
	915.10 am	(P-10989/92; A-4425)	1230.120 r	(P-5187/92; A-5878)	
	915.20 am	(P-10989/92; A-4425)	1230.210 r	(P-5187/92; A-5878)	
	915.40 am	(P-10989/92; A-4425)	1230.220 r	(P-5187/92; A-5878)	
	915.50 n	(P-10989/92; A-4425)	1230.230 r	(P-5187/92; A-5878)	
	1100.670 am	(P-12606)	1230.240 r	(P-5187/92; A-5878)	
	1100.740 n	(P-8144)	1230.250 r	(P-5187/92; A-5878)	
	1110.60 n	(P-15328/92; A-4453)	1230.260 r	(P-5187/92; A-5878)	
	1110.235 n	(P-15328/92; A-4453)	1230.310 r	(P-5187/92; A-5878)	
	1110.1810 am	(P-12593)	1230.320 r	(P-5187/92; A-5878)	
	1110.1830 am	(P-12593)	1230.410 r	(P-5187/92; A-5878)	
	1110.2510 n	(P-8149)	1230.420 r	(P-5187/92; A-5878)	
	1110.2520 n	(P-8149)	1230.Tb.A r	(P-5187/92; A-5878)	
	1110.2540 n	(P-8149)	1230.Tb.B r	(P-5187/92; A-5878)	
	1110.2550 n	(P-8149)	1235.10 n	(E-432; O-3056) (P-683;	
	1120.10 n	(P-5205/92; A-4431)	1235.20 n	A-8498)	
	1120.20 n	(P-5205/92; RC-1244;	1235.30 n	(E-432; O-3056) (P-683;	
	1120.110 n	A-4453)	1235.40 n	A-8498)	
	1120.120 n	(P-5205/92; RC-1244;	1235.50 n	(E-432; O-3056) (P-683;	
	1120.130 n	A-4431)	1235.100 n	A-8498)	
	1120.210 n	(P-5205/92; A-4431)	1235.110 n	(E-432; O-3056) (P-683;	
	1120.310 n	(P-5205/92; RC-1244;	1235.200 n	A-8498)	
		A-4431)	1235.210 n	(E-432; O-3056) (P-683;	
	1120.Ap.A n	(P-5205/92; RC-1244;	1235.220 n	(E-432; O-3056) (P-683;	
		A-4431)		A-8498)	
	1130.140 am	(P-4755/92; A-5882)			
	1130.220 am	(P-4755/92; A-5882)			
	1130.410 am	(P-4755/92; A-5882)			
	1130.510 am	(P-4755/92; A-5882)			
	1130.620 am	(P-4755/92; A-5882)			
	1130.630 am	(P-4755/92; A-5882)			





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TITLE 83 (CONT'D)	590.10	am	TITLE 86	100.7310	re
	735.121	n		100.7320	am
745.10	am	(P-2466; A-12291)	TITLE 86 (CONT'D)	100.7330	re
745.15	am	(P-6386) (P-12483)		100.7340	re
745.20	am	(P-10513/92; A-10258)	TITLE 86 (CONT'D)	100.9000	re
745.30	am	(P-10513/92; A-10258)		100.9005	am
745.110	am	(P-10513/92; A-10258)	TITLE 86 (CONT'D)	100.9010	re
745.200	am	(P-10513/92; A-10258)		100.9100	re
745.210	am	(P-10513/92; A-10258)	TITLE 86 (CONT'D)	100.9200	re
745.220	am	(P-10513/92; A-10258)		100.9210	re
745.221	n	(P-10513/92; A-10258)	TITLE 86 (CONT'D)	100.9300	re
745.225	am	(P-10513/92; A-10258)		100.9310	re
745.Ex.B	am	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9320	re
755.10	am	(P-16709/92; A-5594)		100.9330	re
755.105	am	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9400	re
755.500	n	(P-16709/92; A-5594)		100.9410	re
755.505	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9420	re
755.510	n	(P-16709/92; A-5594)		100.9500	re
755.515	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9510	re
755.520	n	(P-16709/92; A-5594)		100.9520	re
755.525	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9600	re
755.Ex.A	n	(P-16709/92; A-5594)		100.9700	re
755.Ex.B	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	100.9800	re
755.Ex.C	n	(P-16709/92; A-5594)		100.Ap.A	re
755.Ex.D	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	Tb.A	re
755.Ex.E	n	(P-16709/92; A-5594)		Tb.B	re
755.Ex.F	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	105.100	n
755.Ex.G	n	(P-16709/92; A-5594)		105.110	am
755.Ex.H	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	105.120	n
755.Ex.I	n	(P-16709/92; A-5594)		105.200	n
755.Ex.J	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	105.210	n
755.Ex.K	n	(P-16709/92; A-5594)		105.220	n
755.Ex.L	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	105.230	n
755.Ex.M	n	(P-16709/92; A-5594)		105.300	am
755.Ex.N	n	(P-16709/92; A-5594)	TITLE 86 (CONT'D)	105.310	n
756.10	am	(P-15605/92; A-12294)		105.320	n
756.15	am	(P-15605/92; A-12294)	TITLE 86 (CONT'D)	100.7300	re
756.20	am	(P-15605/92; A-12294)			
756.30	n	(P-15605/92; A-12294)			
756.100	am	(P-15605/92; A-12294)			
756.110	am	(P-15605/92; A-12294)			
756.115	am	(P-15605/92; A-12294)			
756.116	n	(P-15605/92; A-12294)			
756.120	am	(P-15605/92; A-12294)			
756.125	am	(P-15605/92; A-12294)			
756.200	am	(P-15605/92; A-12294)			

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105.330	n	(P-219; A-7031) (E-445)	210.126	n	(E-665) (P-2718; A-8860)	3000.230	am	(P-19681; A-11510)	3000.1150	n	(P-19681; A-11510)
105.340	n	(P-219; A-7031) (E-445)	210.130	am	(P-2718; A-8860)	3000.231	n	(P-19681; A-11510)	3000.1155	n	(P-19681; A-11510)
		(P-9854)	530.115	am	(P-3104; A-11566)	3000.235	am	(P-19681; A-11510)			
105.400	n	(P-219; A-7031) (E-445)	535.101	n	(P-15340/92; A-3042)	3000.240	am	(P-19681; A-11510)	TITLE 89		
105.410	n	(P-219; A-7031) (E-445)	535.105	n	(P-15340/92; A-3042)	3000.245	am	(P-19681; A-11510)	102.200	am	(P-15461)
		(P-9854)	535.110	n	(P-15340/92; A-3042)	3000.250	am	(P-19681; A-11510)	102.210	am	(P-15461)
105.420	n	(P-219; A-7031) (E-445)	535.115	n	(P-15340/92; A-3042)	3000.281	am	(P-19681; A-11510)	102.220	am	(P-15461)
		(P-9854)	535.120	n	(P-15340/92; A-3042)	3000.282	am	(P-19681; A-11510)	102.230	am	(P-15461)
105.430	n	(P-219; A-7031) (E-445)	535.125	n	(P-15340/92; A-3042)	3000.300	am	(P-19681; A-11510)	102.235	n	(P-15461)
105.440	n	(P-219; A-7031) (E-445)	535.130	n	(P-15340/92; A-3042)	3000.320	am	(P-19681; A-11510)	102.240	am	(P-15461)
105.450	n	(P-219; A-7031) (E-445)	535.135	n	(P-15340/92; A-3042)	3000.400	am	(P-19681; A-11510)	102.250	am	(P-15461)
105.460	n	(P-219; A-7031) (E-445)	535.140	n	(P-15340/92; A-3042)	3000.405	am	(P-19681; A-11510)	103.25	n	(P-14178/92; A-655)
105.470	n	(P-219; A-7031) (E-445)	535.145	n	(P-15340/92; A-3042)	3000.410	am	(P-19681; A-11510)	103.35	n	(P-14178/92; A-655)
		(P-9854)	700.100	n	(P-16421)	3000.415	am	(P-19681; A-11510)	104.216	am	(P-540; A-7025) (E-659)
105.500	n	(P-219; A-7031) (E-445)	700.110	n	(P-16421)	3000.425	am	(P-19681; A-11510)	110.30	am	(P-13207/92; A-640)
105.510	n	(P-219; A-7031) (E-445)	700.200	n	(P-16421)	3000.430	am	(P-19681; A-11510)	111.101	am	(P-16491/92; A-3213)
		(P-9854)	700.210	n	(P-16421)	3000.431	n	(P-19681; A-11510)	112.9	am	(P-13381/92; A-813)
105.520	n	(P-219; A-7031) (E-445)	700.220	n	(P-16421)	3000.435	am	(P-19681; A-11510)	112.64	am	(P-10705)
105.600	n	(P-219; A-7031) (E-445)	700.230	n	(P-16421)	3000.440	am	(P-19681; A-11510)	112.70	am	(P-3335/92; A-357)
105.700	n	(P-219; A-7031) (E-445)	700.300	n	(P-16421)	3000.445	n	(P-19681; A-11510)	112.71	am	(P-10705)
105.800	n	(P-219; A-7031) (E-445)	700.310	n	(P-16421)	3000.600	am	(P-19681; A-11510)	112.72	am	(P-3335/92; A-357)
105.810	n	(P-219; A-7031) (E-445)	700.320	n	(P-16421)	3000.620	am	(P-19681; A-11510)	112.74	am	(P-3335/92; A-357)
105.900	n	(P-219; A-7031) (E-445)	700.330	n	(P-16421)	3000.635	am	(P-19681; A-11510)	112.78	am	(P-3335/92; A-357)
105.910	n	(P-219; A-7031) (E-445)	700.340	n	(P-16421)	3000.730	am	(P-19681; A-11510)			
105.920	n	(P-219; A-7031) (E-445)	700.400	n	(P-16421)	3000.800	am	(P-19681; A-11510)	112.79	am	(P-5436; A-15017)
105.1000	n	(P-219; A-7031) (E-445)	700.500	n	(P-16421)	3000.850	am	(P-19681; A-11510)	112.81	am	(P-3335/92; A-357)
105.1010	n	(P-219; A-7031) (E-445)	750.100	n	(P-8450)	3000.1000	am	(P-19681; A-11510)	112.82	am	(P-10705)
110.115	am	(P-2507)	750.200	n	(P-8450)	3000.1010	am	(P-19681; A-11510)	112.83	am	(P-3335/92; A-357)
130.220	am	(P-14554/92; A-860)	750.300	n	(P-8450)	3000.1020	am	(P-19681; A-11510)	112.127	am	(P-19642/92; A-6792)
130.535	am	(P-8461)	750.400	n	(P-8450)	3000.1030	am	(P-19681; A-11510)	112.130	am	(P-10705)
130.901	am	(P-15501)	750.500	n	(P-8450)	3000.1040	am	(P-19681; A-11510)	112.137	am	(P-10705)
130.905	am	(P-15501)	750.600	n	(P-8450)	3000.1050	am	(P-19681; A-11510)	112.141	am	(P-10705)
130.1001	am	(P-6955)	750.700	n	(P-8450)	3000.1070	am	(P-19681; A-11510)	112.142	am	(P-10705)
130.1801	am	(P-6955)	750.800	n	(P-8450)	3000.1071	am	(P-19681; A-11510)	112.143	am	(P-10705)
140.801	am	(P-15515)	750.900	n	(P-8450)	3000.1072	am	(P-19681; A-11510)	112.144	am	(P-7745; A-15017)
140.1415	am	(P-15515)	1000.100	n	(E-12445)	3000.1100	n	(P-19681; A-11510)	112.145	am	(P-5436; A-15017)
150.1001	am	(P-15527)	3000.100	am	(P-19681; A-11510)	3000.1105	n	(P-19681; A-11510)			
150.1415	am	(P-15527)	3000.101	n	(P-19681; A-11510)	3000.1110	n	(P-19681; A-11510)	112.151	am	(P-5436; A-15017)
150.7b.A	am	(P-14563/92; A-1947)	3000.110	am	(P-19681; A-11510)	3000.1115	n	(P-19681; A-11510)	112.152	am	(P-10705)
160.140	am	(P-15522)	3000.115	am	(P-19681; A-11510)	3000.1120	n	(P-19681; A-11510)	112.153	am	(P-18216/92; A-4312)
160.165	am	(P-15522)	3000.140	am	(P-19681; A-11510)	3000.1125	n	(P-19681; A-11510)	112.154	r	(P-14522/92; A-813)
210.101	am	(E-665) (P-2718; A-8860)	3000.141	n	(P-19681; A-11510)	3000.1126	n	(P-19681; A-11510)	112.250	am	(P-46)
210.105	am	(P-2718; A-8860)	3000.160	am	(P-19681; A-11510)	3000.1130	n	(P-19681; A-11510)	112.252	am	(P-46)
210.110	am	(P-2718; A-8860)	3000.165	am	(P-19681; A-11510)	3000.1135	n	(P-19681; A-11510)	112.253	am	(P-46)
210.115	am	(P-2718; C-3545; A-8860)	3000.200	am	(P-19681; A-11510)	3000.1140	n	(P-19681; A-11510)	112.254	am	(P-46)
210.120	am	(P-2718; A-8860)	3000.210	am	(P-19681; A-11510)	3000.1145	n	(P-19681; A-11510)	112.302	am	(P-10705)
210.125	am	(E-665) (P-2718; A-8860)	3000.220	am	(P-19681; A-11510)	3000.1146	n	(P-19681; A-11510)	112.303	am	(P-10705)



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112.330	am	(P-15277/92; A-2253)	120.73	n	(P-711; A-6827)
		(P-10705)	120.75	n	(P-711; A-6827)
		(P-6026; A-15017)	120.318	am	(P-13392)
112.370	n	(E-6325)	120.385	r	(P-13392)
		(P-10705)	120.386	am	(P-13392)
112.404	am		121.3	am	(P-13385/92; A-644)
112.406	am		121.23	r	(P-15813/92; A-4333)
113.9	am	(P-10705)	121.24	r	(P-15813/92; A-4333)
113.113	am	(P-13383/92; A-827)	121.25	r	(P-15813/92; A-4333)
113.113	am	(P-7755; A-14612)	121.26	r	(P-15813/92; A-4333)
113.141	am	(P-7755; A-14612)	121.27	r	(P-15813/92; A-4333)
113.154	r	(P-14999/92; A-2263)	121.28	r	(P-15813/92; A-4333)
113.155	am	(P-13380)	121.29	r	(P-15813/92; A-4333)
113.253	am	(P-702; A-6804)	121.31	am	(P-7165; A-14625)
113.260	am	(P-702; A-6804)	121.32	am	(P-7165; A-14625)
113.309	n	(P-17457/92; A-6804)	121.41	am	(P-13385/92; A-644)
113.330	n	(P-14533/92; A-3202)	121.50	am	(P-7165; A-14625)
113.410	am	(P-14533/92; A-3202)	121.58	am	(P-7165; A-14625)
113.425	am	(P-17047/92; A-4322)	121.59	am	(P-13385/92; A-644)
113.430	am	(P-17047/92; A-4322)	121.60	am	(PP-17477)
113.450	n	(P-17457/92; A-6804)	121.61	am	(PP-17477)
114.9	am	(P-13395/92; A-1091)	121.63	am	(P-7165; A-14625)
114.120	am	(P-15810/92; A-3255)			(PP-17477)
114.121	r	(P-15810/92; A-3255)	121.74	am	(P-13385/92; A-644)
114.124	r	(P-15810/92; A-3255)	121.76	n	(P-15813/92; A-4333)
114.125	r	(P-15810/92; A-3255)	121.160	n	(P-15813/92; A-4333)
114.126	r	(P-15810/92; A-3255)	121.162	n	(P-15813/92; A-4333)
114.127	r	(P-15810/92; A-3255)	121.164	n	(P-15813/92; A-4333)
114.128	r	(P-15810/92; A-3255)	121.166	n	(P-15813/92; A-4333)
114.129	r	(P-15810/92; A-3255)	121.166	n	(P-15813/92; A-4333)
114.130	r	(P-15810/92; A-3255)	121.170	n	(P-16405)
114.135	r	(P-15810/92; A-3255)	121.170	am	(P-15813/92; A-4333)
114.223	am	(P-19654/92; A-6814)	121.172	n	(P-15813/92; A-4333)
114.252	am	(P-18226/92; A-6814)	121.174	n	(P-15813/92; A-4333)
114.270	r	(P-15008/92; A-2277)	121.74	am	(P-16405)
114.406	n	(P-17459/92; A-6814)	121.176	n	(P-15813/92; A-4333)
114.420	am	(P-15008/92; A-2277)	121.178	n	(P-15813/92; A-4333)
114.430	am	(P-15287/92; A-2277)	121.180	n	(P-15813/92; A-4333)
114.440	n	(P-14538/92; A-3639)	121.182	n	(P-15813/92; A-4333)
116.400	am	(P-13764/92; A-1078)	121.184	am	(P-14798) (E-15149)
116.500	am	(P-13764/92; A-1078)	121.186	n	(P-15813/92; A-4333)
		(P-12092)	121.186	n	(P-15813/92; A-4333)
116.510	am	(P-12092)	121.188	n	(P-15813/92; A-4333)
116.520	r	(P-13764/92; A-1078)	121.190	n	(P-15813/92; A-4333)
117.15	n	(P-2126; A-8191)	140.12	am	(P-17049/92; A-6196)
		(E-2368)	140.19	am	(P-62; A-6839)
118.150	n	(P-10751) (E-11217)	140.24	am	(P-7183; RC-17491)
120.61	am	(P-2114; A-10402)	140.80	n	(P-15019/92; A-3421)
120.70	am	(P-711; A-6827)	140.82	n	(P-15019/92; A-3421)

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140.84	n	(P-15019/92; A-3421)	147.Tb.A	am	(P-5471; A-13498)
140.94	am	(P-15019/92; A-3421)	147.Tb.B	am	(P-5471; A-13498)
140.95	am	(P-15019/92; A-3421)	147.Tb.C	am	(P-1716; A-8486)
140.420	am	(P-15444)	147.Tb.D	am	(P-5471; A-13498)
140.421	am	(P-15444)	147.Tb.E	am	(P-5471; A-13498)
140.485	am	(P-16495/92; A-6196)	147.Tb.F	am	(P-1716; A-8486)
140.488	am	(P-16495/92; A-6196)	147.Tb.G	r	(P-5471; A-13498)
140.492	am	(P-13397/92; O-1241; R-2436; A-2290; F-3058)	148.20	am	(P-15291) (E-17323)
		(P-10749) (E-11201)	148.25	n	(P-14540/92; A-3296)
140.511	am	(P-17461/92; A-6839)	148.30	am	(P-15291) (E-17323)
140.525	am	(P-13211/92; A-837)	148.40	am	(P-14540/92; A-3296)
140.530	am	(P-14800) (E-15162)	148.50	am	(P-15291) (E-17323)
140.538	am	(P-13211/92; A-837)	148.60	am	(P-14540/92; A-3296)
140.539	am	(P-19665/92; A-6839)	148.70	am	(P-15291) (E-17323)
140.560	am	(P-14800) (E-15162)	148.80	am	(P-14540/92; A-3296)
140.579	am	(P-12838/92; A-19146/92; RQ-4517; EC-7078)	148.82	r	(P-15291) (E-17323)
140.583	am	(P-14800) (E-15162)		n	(P-10868/92; A-1311)
140.642	am	(P-16495/92; A-6196)			(P-6935; A-14643)
140.648	am	(P-17209/92; A-7004)			(P-12826/92; RC-6549; A-6649)
140.700	am	(P-14800) (E-15162)	148.120	am	(P-15291) (E-17323)
140.Tb.K	am	(P-7576/92; A-1112)	148.130	am	(P-14540/92; A-3296)
144.5	am	(P-15296/92; A-2951)	148.140	am	(P-15291) (E-17323)
144.25	am	(P-2477; A-11480)	148.150	am	(P-14540/92; A-3296)
144.50	am	(P-2477; A-11480)	148.160	am	(P-15291) (E-17323)
144.75	am	(P-2477; A-11480)	148.170	am	(P-14540/92; A-3296)
144.125	am	(P-2477; A-11480)	148.180	am	(P-15291) (E-17323)
144.150	am	(P-2477; A-11480)	148.190	am	(P-14540/92; A-3296)
144.175	am	(P-2477; A-11480)	148.200	am	(P-14540/92; A-3296)
144.205	am	(P-2477; A-11480)	148.210	am	(P-15291) (E-17323)
144.230	n	(P-899; A-8478)	148.220	am	(P-14540/92; A-3296)
144.250	am	(P-2477; A-11480)	148.230	am	(P-15291) (E-17323)
144.275	am	(P-14796) (E-15126)	148.240	am	(P-14540/92; A-3296)
144.300	am	(P-14796) (E-15126)			(P-15291) (E-17323)
144.325	am	(P-1716; A-8486)			(P-15291) (E-17323)
147.5	am	(P-5471; A-13498)			(P-15291) (E-17323)
147.25	am	(P-5471; A-13498)			(P-15291) (E-17323)
147.50	am	(P-5471; A-13498)			(P-15291) (E-17323)
147.100	am	(P-14081)			(P-15291) (E-17323)
147.150	am	(P-13215/92; A-1128)			(P-14540/92; A-3296)
		(P-5471; A-13498)			(P-14540/92; A-3296)
		(P-14803) (E-15189)			(P-15291) (E-17323)
147.205	am	(P-13215/92; A-1128)			(P-15291) (E-17323)
		(P-14803) (E-15189)			(P-15291) (E-17323)

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TITLE 89 (CONT'D)		TITLE 89 (CONT'D)	
148.250	am	170.40	n
	(P-14540/92; A-3296)	170.50	am
	(P-15291) (E-17323)	220.625	am
148.260	am	220.635	am
	(P-14540/92; A-3296)	240.120	am
	(P-15291) (E-17323)	240.160	am
148.270	am	240.210	am
	(P-14540/92; A-3296)	240.220	am
	(P-15291) (E-17323)	240.270	am
148.280	am	240.280	am
	(P-14540/92; A-3296)	240.350	am
	(P-15291) (E-17323)	240.729	n
148.290	am	240.870	am
	(P-14540/92; A-3296)	240.910	am
	(P-15291) (E-17323)	240.910	am
148.310	am	240.1510	am
	(P-9840)	240.1520	am
148.320	am	240.1530	am
	(P-14540/92; A-3296)	240.1535	am
149.5	am	240.1540	am
	(P-15243) (E-17275)	240.1545	am
149.10	n	240.1545	am
	(P-14535/92; A-3217)	240.1550	am
149.25	am	240.1555	am
	(P-15243) (E-17275)	240.1560	am
149.50	am	240.1565	am
	(P-14535/92; A-3217)	240.1570	am
149.75	am	240.1575	am
	(P-15243) (E-17275)	240.1580	am
149.100	am	240.1590	am
	(P-14535/92; A-3217)	240.1600	am
149.105	am	240.1610	am
	(P-15243) (E-17275)	240.1630	am
149.125	am	240.1800	am
	(P-14535/92; A-3217)	240.1850	am
149.140	n	240.1920	am
	(P-15243) (E-17275)	240.1930	am
149.150	am	240.2020	am
	(P-9829) (P-15243)	240.2030	am
	(E-17275)	240.2040	am
160.1	am	240.2050	am
160.5	am	300.20	am
160.15	n		
160.25	n		
160.65	am		
160.70	am		
160.77	n		
160.85	n		
165.70	am		
165.104	am		
170.10	n		
170.20	n		
170.30	n		

TITLE 89 (CONT'D)		TITLE 89 (CONT'D)	
302.20	am	336.10	n
302.310	am	336.20	n
302.390	am	336.30	n
304.2	am	336.40	n
309.1	r	336.50	n
309.2	r	336.60	n
309.3	r	336.70	n
309.4	r	336.80	n
309.5	r	336.90	n
309.6	r	336.100	n
309.7	r	336.110	n
309.8	r	336.120	n
309.9	r	336.130	n
309.10	r	336.140	n
309.11	r	336.150	n
309.12	r	336.160	n
309.13	r	336.170	n
309.14	r	337.10	n
309.15	r	337.20	n
309.16	r	337.30	n
309.17	r	337.40	n
309.18	r	337.50	n
309.19	r	337.60	n
309.20	r	337.70	n
309.21	r	337.80	n
309.22	r	337.90	n
309.23	r	337.100	n
330.5	am	337.110	n
330.6	am	337.120	n
335.100	am	337.130	n
335.102	am	337.140	n
335.200	n	337.150	n
335.202	am.#	337.160	n
335.204	am.#	337.170	n
335.206	am	337.180	n
335.208	n	337.190	n
335.300	am	337.200	n
335.304	am	337.210	n
335.310	am	337.220	n
335.312	am	337.230	n
335.314	am	337.240	n
335.316	am	337.250	n
335.318	am	354.1	r
335.320	am	354.2	r
335.326	am	354.3	r
335.328	am	354.4	r
335.330	am	354.5	r
		354.6	r



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TITLE 89 (CONT'D)			590,740	n		(P-11416) (E-11812)	(P-11416) (E-11812)
590,270	n	(P-11416) (E-11812)	590,750	n		(P-11416) (E-11812)	(P-11416) (E-11812)
590,280	n	(P-11416) (E-11812)	592.10	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,290	n	(P-11416) (E-11812)	592.20	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,300	n	(P-11416) (E-11812)	592.30	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,310	n	(P-11416) (E-11812)	592.40	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,320	n	(P-11416) (E-11812)	592.45	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,330	n	(P-11416) (E-11812)	592.50	am		(P-1375; W-3687)	(P-1375; W-3687)
590,340	n	(P-11416) (E-11812)		r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,350	n	(P-11416) (E-11812)	592.55	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,360	n	(P-11416) (E-11812)	592.60	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,370	n	(P-11416) (E-11812)	592.65	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,375	n	(P-11416) (E-11812)	592.70	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,380	n	(P-11416) (E-11812)	592.75	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,390	n	(P-11416) (E-11812)	592.80	am		(P-1375; W-3687)	(P-1375; W-3687)
590,400	n	(P-11416) (E-11812)		r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,410	n	(P-11416) (E-11812)	592.85	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,420	n	(P-11416) (E-11812)	592.90	r		(P-11422) (E-11864)	(P-11422) (E-11864)
590,430	n	(P-11416) (E-11812)	597.10	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,440	n	(P-11416) (E-11812)	597.15	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,450	n	(P-11416) (E-11812)	597.20	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,460	n	(P-11416) (E-11812)	597.100	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,470	n	(P-11416) (E-11812)	597.150	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,480	n	(P-11416) (E-11812)	597.200	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,490	n	(P-11416) (E-11812)	597.300	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,500	n	(P-11416) (E-11812)	597.310	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,510	n	(P-11416) (E-11812)	597.320	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,520	n	(P-11416) (E-11812)	597.330	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,530	n	(P-11416) (E-11812)	597.400	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,540	n	(P-11416) (E-11812)	597.410	r		(P-11420) (E-11856)	(P-11420) (E-11856)
590,550	n	(P-11416) (E-11812)	602.10	r		(P-11404) (E-11780)	(P-11404) (E-11780)
590,560	n	(P-11416) (E-11812)	602.20	r		(P-11408) (E-11796)	(P-11408) (E-11796)
590,570	n	(P-11416) (E-11812)	607.10	r		(P-11408) (E-11796)	(P-11408) (E-11796)
590,580	n	(P-11416) (E-11812)	607.20	r		(P-11408) (E-11796)	(P-11408) (E-11796)
590,590	n	(P-11416) (E-11812)	607.50	r		(P-11408) (E-11796)	(P-11408) (E-11796)
590,600	n	(P-11416) (E-11812)	607.60	r		(P-11408) (E-11796)	(P-11408) (E-11796)
590,610	n	(P-11416) (E-11812)	612.10	r		(P-11410) (E-11801)	(P-11410) (E-11801)
590,620	n	(P-11416) (E-11812)	612.20	r		(P-11410) (E-11801)	(P-11410) (E-11801)
590,630	n	(P-11416) (E-11812)	617.20	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,640	n	(P-11416) (E-11812)	617.30	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,650	n	(P-11416) (E-11812)	617.55	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,660	n	(P-11416) (E-11812)	617.60	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,670	n	(P-11416) (E-11812)	617.80	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,680	n	(P-11416) (E-11812)	617.110	am		(P-11390) (E-11686)	(P-11390) (E-11686)
590,700	n	(P-11416) (E-11812)	622.10	r		(P-11412) (E-11804)	(P-11412) (E-11804)
590,710	n	(P-11416) (E-11812)	622.20	r		(P-11412) (E-11804)	(P-11412) (E-11804)
590,720	n	(P-11416) (E-11812)	622.30	r		(P-11412) (E-11804)	(P-11412) (E-11804)
590,730	n	(P-11416) (E-11812)	657.10	r		(P-11414) (E-11808)	(P-11414) (E-11808)

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657.20	r	(P-11414) (E-11808)	1200.60	am	(E-9735; O-13198)
680.300	am	(P-943; A-7230)	1200.70	am	(P-15354/92; A-1137)
685.150	am	(P-18947/92; A-6256)			(P-15354/92; A-1137)
690.100	am	(P-15065/92; A-3675)			(P-7780; O-14188)
690.200	am	(P-15065/92; A-3675)			(E-8052; W-8318)
690.300	am	(P-15065/92; A-3675)	1200.80	am	(E-9735; O-13198)
690.400	am	(P-15065/92; A-3675)	1200.100	am	(P-15354/92; A-1137)
708.300	am	(P-9852; RC-17492)	1200.110	am	(P-15354/92; A-1137)
		(E-10002)	1200.Ap.A	am	(P-15354/92; A-1137)
730.10	am	(P-11398) (E-11745)			(P-7780) (E-8052;
730.20	am	(P-11398) (E-11745)			E-8318) (E-9735;
730.30	am	(P-11398) (E-11745)			O-13198)
730.200	am	(P-11398) (E-11745)			
730.210	am	(P-11398) (E-11745)			
730.220	am	(P-11398) (E-11745)			
730.230	am	(P-11398) (E-11745)			
730.250	am	(P-11398) (E-11745)			
730.400	am	(P-11398) (E-11745)			
730.410	am	(P-11398) (E-11745)			
730.420	am	(P-11398) (E-11745)			
730.430	am	(P-11398) (E-11745)			
730.440	am	(P-11398) (E-11745)			
730.460	am	(P-11398) (E-11745)			
730.600	am	(P-11398) (E-11745)			
730.650	am	(P-11398) (E-11745)			
730.700	r	(P-10397/92; A-425)			
827.10	am	(P-77; A-6260)			
827.20	am	(P-77; A-6260)			
827.30	am	(P-77; A-6260)			
830.50	am	(P-18759/92; A-6248)			
897.10	n	(E-6886)			
897.20	n	(E-6886)			
897.30	n	(E-6886)			
897.40	n	(E-6886)			
897.50	n	(E-6886)			
897.60	n	(E-6886)			
1177.10	am	(P-11400) (E-11766)			
1200.10	am	(P-15354/92; A-1137)			
1200.20	am	(P-15354/92; A-1137)			
1200.30	am	(P-15354/92; A-1137)			
		(P-7780; O-14188)			
		(E-8052; W-8318)			
		(E-9735; O-13198)			
	am	(P-15354/92; A-1137)			
1200.50	am	(P-15354/92; A-1137)			
		(P-7780; O-14188)			
		(E-8052; W-8318)			



## TITLE 92 (CONT'D)

77.100 n	(P-1789; A-9057)	454.20 am	(P-12278)	700.90 n	(P-17235/92; A-4484)	1001.540 n	(E-2047)
77.110 n	(P-1789; A-9057)	454.30 am	(P-12278)	700.100 n	(P-17235/92; A-4484)		(P-1758; A-8528)
77.120 n	(P-1789; A-9057)	454.40 am	(P-12278)	700.110 n	(P-17235/92; A-4484)	1030.16 n	(E-2047)
77.130 n	(P-1789; A-9057)	454.210 am	(P-12278)	704.10 n	(P-17244/92; A-4494)	1030.17 n	(P-956; A-8275) (E-1219)
77.140 n	(P-1789; A-9057)	454.250 am	(P-12278)	704.20 n	(P-17244/92; A-4494)	1030.18 n	(P-1752; A-8522)
77.Ex.A n	(P-1789; A-9057)	454.310 am	(P-12278)	704.30 n	(P-17244/92; A-4494)	1030.92 am	(P-956; A-8275) (E-1219)
386.1000 am	(P-13734)	454.410 am	(P-12278)	704.40 n	(P-17244/92; A-4494)	1030.97 n	(P-13661)
386.1010 am	(P-13734)	454.510 am	(P-12278)	704.50 n	(P-17244/92; A-4494)	1030.115 am	(P-15803)
386.1140 am	(P-13734)	456.40 am	(P-13704)	704.60 n	(P-17244/92; A-4494)	1030.120 am	(P-17229/92; A-2025)
390.1000 am	(P-13986)	456.50 am	(P-13704)	704.70 n	(P-17244/92; A-4494)	1030.130 am	(P-12138/92; A-7065)
390.1010 am	(P-13986)	456.60 am	(P-13704)	704.80 n	(P-17244/92; A-4494)	1040.20 am	(P-12138/92; A-7065)
390.1020 am	(P-13986)	456.70 am	(P-13704)	704.90 n	(P-17244/92; A-4494)	1040.101 am	(P-2128; A-12782)
390.1030 am	(P-13986)	456.80 am	(P-13704)	704.100 n	(P-17244/92; A-4494)	1040.102 n	(P-1747; A-8512)
390.2000 am	(P-13986)	518.20 am	(P-12628)	704.110 n	(P-17244/92; A-4494)	1070.100 am	(P-285; A-90286)
391.1000 am	(P-13739)	518.750 am	(P-12628)	704.120 n	(P-17244/92; A-4494)	1236.10 n	(P-2863; A-8517)
391.2000 am	(P-13739)	522.20 am	(P-981; A-7258)	704.130 n	(P-17244/92; A-4494)	1360.40 am	(P-9167)
392.2000 am	(P-13690)	522.30 am	(P-981; A-7258)	704.140 n	(P-17244/92; A-4494)	1375.10 r	(P-1685)
393.2000 am	(P-13730)	522.50 am	(P-981; A-7258)	704.150 n	(P-17244/92; A-4494)	1375.15 r	(P-8635)
395.2000 am	(P-13693)	522.80 am	(P-981; A-7258)	704.Ap.A n	(P-17244/92; A-4494)	1375.20 r	(P-8635)
396.2000 am	(P-13699)	522.120 am	(P-981; A-7258)	1001.10 am	(P-1761/92; A-6274)	1375.30 r	(P-8635)
396.2010 am	(P-13699)	522.130 r	(P-981; A-7258)	1001.20 am	(P-1761/92; A-6274)	1375.40 r	(P-8635)
397.1010 am	(P-13686)	522.130 n	(P-981; A-7258)	1001.100 am	(P-1761/92; A-6274)	1375.50 r	(P-8635)
397.1020 am	(P-13686)	522.150 am	(P-981; A-7258)	1001.110 am	(P-1761/92; A-6274)	1375.60 r	(P-8635)
440.520 am	(P-15835/92; A-3530)	522.200 am	(P-981; A-7258)	1001.220 am	(P-1761/92; A-6274)	1375.70 r	(P-8635)
442.435 am	(P-15845/92; A-3540)	522.210 am	(P-981; A-7258)	1001.300 am	(P-1761/92; A-6274)	1375.80 r	(P-8635)
451.10 am	(P-3110; A-12839)	522.11.J n	(P-981; A-7258)	1001.310 am	(P-1761/92; A-6274)	1375.85 r	(P-8635)
451.15 am.#	(P-3110; A-12839)	600.10 n	(P-12613)	1001.320 am	(P-1761/92; A-6274)	1375.1000 r	(P-8635)
451.20 am	(P-3110; A-12839)	600.20 n	(P-12613)	1001.330 am	(P-1761/92; A-6274)	1375.1010 r	(P-8635)
451.25 am	(P-3110; A-12839)	600.30 n	(P-12613)	1001.340 am	(P-1761/92; A-6274)	1375.1020 r	(P-8635)
451.50 #	(P-3110; A-12839)	600.40 n	(P-12613)	1001.350 am	(P-1761/92; A-6274)	1375.1030 r	(P-8635)
451.60 am	(P-3110; A-12839)	600.50 n	(P-12613)	1001.360 am	(P-1761/92; A-6274)	1375.1040 r	(P-8635)
451.70 am	(P-3110; A-12839)	600.60 n	(P-12613)	1001.400 am	(P-1761/92; A-6274)	1375.1050 r	(P-8635)
451.80 am	(P-3110; A-12839)	600.70 n	(P-12613)	1001.410 am	(P-1761/92; A-6274)	1375.1060 r	(P-8635)
451.90 am	(P-3110; A-12839)	600.80 n	(P-12613)	1001.420 am	(P-1761/92; A-6274)	1375.1070 r	(P-8635)
451.100 am	(P-3110; A-12839)	600.90 n	(P-12613)	1001.430 am	(P-1761/92; A-6274)	1375.1080 r	(P-8635)
451.110 am	(P-3110; A-12839)	600.100 n	(P-12613)	1001.440 am	(P-1761/92; A-6274)	1375.1090 r	(P-8635)
451.120 am	(P-3110; A-12839)	600.110 n	(P-12613)	1001.450 am	(P-1761/92; A-6274)	1375.1100 r	(P-8635)
451.130 am	(P-3110; A-12839)	600.120 n	(P-12613)	1001.460 am	(P-1761/92; A-6274)	1375.1110 r	(P-8635)
451.140 am	(P-3110; A-12839)	600.130 n	(P-12613)	1001.470 am	(P-1761/92; A-6274)	1375.1120 r	(P-8635)
451.150 am	(P-3110; A-12839)	700.10 n	(P-12613)	1001.485 am	(P-1761/92; A-6274)	1375.1130 r	(P-8635)
451.160 am	(P-3110; A-12839)	700.20 n	(P-17235/92; A-4484)	1001.500 n	(E-2047)	1375.1140 r	(P-8635)
451.Ap.F am	(P-3110; A-12839)	700.30 n	(P-17235/92; A-4484)	1001.510 n	(E-2047)	1375.1150 r	(P-8635)
451.11.C n	(P-3110)	700.40 n	(P-17235/92; A-4484)	1001.520 n	(P-1758; A-8528)	1375.1160 r	(P-8635)
451.11.D n	(P-3110)	700.50 n	(P-17235/92; A-4484)	1001.530 n	(E-2047)	1375.1170 r	(P-8635)
453.10 n	(P-2186; A-8563)	700.60 n	(P-17235/92; A-4484)			1375.2010 r	(P-8635)
453.20 n	(P-2186; A-8563)	700.70 n	(P-17235/92; A-4484)			1375.2020 r	(P-8635)
453.30 n	(P-2186; A-8563)	700.80 n	(P-17235/92; A-4484)			1375.2030 r	(P-8635)

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700.90 n	(P-17235/92; A-4484)	1001.540 n	(E-2047)
700.100 n	(P-17235/92; A-4484)		(P-1758; A-8528)
700.110 n	(P-17235/92; A-4484)	1030.16 n	(E-2047)
704.10 n	(P-17244/92; A-4494)	1030.17 n	(P-956; A-8275) (E-1219)
704.20 n	(P-17244/92; A-4494)	1030.18 n	(P-1752; A-8522)
704.30 n	(P-17244/92; A-4494)	1030.92 am	(P-956; A-8275) (E-1219)
704.40 n	(P-17244/92; A-4494)	1030.97 n	(P-13661)
704.50 n	(P-17244/92; A-4494)	1030.115 am	(P-15803)
704.60 n	(P-17244/92; A-4494)	1030.120 am	(P-17229/92; A-2025)
704.70 n	(P-17244/92; A-4494)	1030.130 am	(P-12138/92; A-7065)
704.80 n	(P-17244/92; A-4494)	1040.20 am	(P-12138/92; A-7065)
704.90 n	(P-17244/92; A-4494)	1040.101 am	(P-2128; A-12782)
704.100 n	(P-17244/92; A-4494)	1040.102 n	(P-1747; A-8512)
704.110 n	(P-17244/92; A-4494)	1070.100 am	(P-285; A-90286)
704.120 n	(P-17244/92; A-4494)	1236.10 n	(P-2863; A-8517)
704.130 n	(P-17244/92; A-4494)	1360.40 am	(P-9167)
704.140 n	(P-17244/92; A-4494)	1375.10 r	(P-1685)
704.150 n	(P-17244/92; A-4494)	1375.15 r	(P-8635)
704.Ap.A n	(P-17244/92; A-4494)	1375.20 r	(P-8635)
1001.10 am	(P-1761/92; A-6274)	1375.30 r	(P-8635)
1001.20 am	(P-1761/92; A-6274)	1375.40 r	(P-8635)
1001.100 am	(P-1761/92; A-6274)	1375.50 r	(P-8635)
1001.110 am	(P-1761/92; A-6274)	1375.60 r	(P-8635)
1001.220 am	(P-1761/92; A-6274)	1375.70 r	(P-8635)
1001.300 am	(P-1761/92; A-6274)	1375.80 r	(P-8635)
1001.310 am	(P-1761/92; A-6274)	1375.85 r	(P-8635)
1001.320 am	(P-1761/92; A-6274)	1375.1000 r	(P-8635)
1001.330 am	(P-1761/92; A-6274)	1375.1010 r	(P-8635)
1001.340 am	(P-1761/92; A-6274)	1375.1020 r	(P-8635)
1001.350 am	(P-1761/92; A-6274)	1375.1030 r	(P-8635)
1001.360 am	(P-1761/92; A-6274)	1375.1040 r	(P-8635)
1001.400 am	(P-1761/92; A-6274)	1375.1050 r	(P-8635)
1001.410 am	(P-1761/92; A-6274)	1375.1060 r	(P-8635)
1001.420 am	(P-1761/92; A-6274)	1375.1070 r	(P-8635)
1001.430 am	(P-1761/92; A-6274)	1375.1080 r	(P-8635)
1001.440 am	(P-1761/92; A-6274)	1375.1090 r	(P-8635)
1001.450 am	(P-1761/92; A-6274)	1375.1100 r	(P-8635)
1001.460 am	(P-1761/92; A-6274)	1375.1110 r	(P-8635)
1001.470 am	(P-1761/92; A-6274)	1375.1120 r	(P-8635)
1001.485 am	(P-1761/92; A-6274)	1375.1130 r	(P-8635)
1001.500 n	(E-2047)	1375.1140 r	(P-8635)
1001.510 n	(E-2047)	1375.1150 r	(P-8635)
1001.520 n	(P-1758; A-8528)	1375.1160 r	(P-8635)
1001.530 n	(E-2047)	1375.1170 r	(P-8635)
	(P-1758; A-8528)	1375.2010 r	(P-8635)
	(E-2047)	1375.2020 r	(P-8635)
	(P-1758; A-8528)	1375.2030 r	(P-8635)



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1375.2070	r	(P-8635)	2520.105	n	(P-542; A-8539)
1375.2080	r	(P-8635)	2520.105	n	(P-566; A-8536)
1375.3010	r	(P-8635)	2520.110	n	(P-542; A-8539)
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1375.5010	r	(P-8635)	2520.201	n	(P-542; A-8539)
1375.6010	r	(P-8635)	2520.201	r	(P-566; A-8536)
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1375.6030	r	(P-8635)	2520.202	r	(P-566; A-8536)
1375.7010	r	(P-8635)	2520.203	n	(P-542; A-8539)
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1375.7030	r	(P-8635)	2520.204	r	(P-542; A-8539)
1375.7040	r	(P-8635)	2520.205	n	(P-566; A-8536)
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1375.7210	r	(P-8635)	2520.214	n	(P-566; A-8536)
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1375.7250	r	(P-8635)	2520.216	n	(P-566; A-8536)
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